

# **EMPLOYMENT TRIBUNALS**

**Respondent:** Hampton's Emporium (trading as Stanleys Fruit Stores) Ltd

- Heard at:Manchester EmploymentOn:14 November 2024Tribunal via CVP
- Before: Employment Judge Dennehy

#### **REPRESENTATION:**

Claimant:	Mrs Vivienne Core
Respondent:	Miss Dola Ajibade (counsel)

## JUDGMENT

The judgment of the Tribunal is as follows:

- 1. By consent the parties agree that the claimant is entitled to a redundancy payment in the sum of £2,790 (18 x 155 average wage) Accordingly the respondent is ordered to pay the claimant the gross sum of £2,790.00.
- By consent the parties agree that the claimant is entitled to breach of contract notice pay in the sum of £1,860 (gross weekly wage of 155 x 12 weeks). Accordingly the respondent is ordered to pay the claimant the gross sum of £1,860.00 as damages for breach of contract.
- 3. Taking the figures set out in 1 and 2 above the total gross sum payable to the claimant is £4,650.00 and is to be paid within 28 days of the date of this judgment.
- 4. The claimant's claim for unauthorised deductions of wages from pay contrary to Part II Employment Rights Act 1996 is respect of the period 03 February 2024 20 March 2024 is not well founded and is dismissed.

5. The respondent is entitled to deduct income tax and national insurance contributions as relevant before payment is made to the claimant.

Employment Judge Dennehy

Date 14 November 2024

JUDGMENT SENT TO THE PARTIES ON Date: 25 November 2024

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at <u>www.gov.uk/employment-tribunal-decisions</u> shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislationpractice-directions/



### NOTICE

#### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: 2402758/2024

Name of case: Ms Alison Core

Hampton's Emporium (Trading as Stanleys Fruit & Veg Stores) Ltd

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

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No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 25 November 2024

the calculation day in this case is: 26 November 2024

the stipulated rate of interest is: 8% per annum.

Paul Guilfoyle For the Employment Tribunal Office

### **GUIDANCE NOTE**

 There is more information about Tribunal judgments here, which you should read with this guidance note: <u>www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426</u>

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

- 2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
- 3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
- 4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
- 5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
- 6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
- 7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
- 8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
- 9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.