



EMPLOYMENT TRIBUNALS

Claimant: Georgia Hauxwell

Respondent: Akat Leisure Ltd

JUDGMENT

1. The claim for unlawful deduction of wages / failure to pay holiday pay under regulation 30 Working Time Regulations 1998 is well founded and succeeds. The Respondent is ordered to pay the Claimant the gross sum of **£453** in respect of holiday pay owed on termination of employment.

REASONS

2. The Claimant presented an ET1 against Andrew Taylor on **30 May 2024**. The name of the Respondent was amended by order Employment Judge Jeram and re-served on the Respondent. A Response was due by **27 September 2024** but none was returned. On **24 July 2024**, the Claimant provided further information regarding the amount of holiday pay she was entitled to and provided a final payslip for the week ending **14 March 2024**.
3. Under rule 21 of the Tribunal Rules of Procedure 2013, where on the expiry of the time limit in rule 16 no response has been presented and no application for a reconsideration is outstanding, an employment Judge shall decide whether on the available material, a determination can properly be made of the claim or part of it. If there is, the judge shall issue a judgment, otherwise a hearing must be fixed before a judge alone.
4. The Claimant's employment commenced on **24 March 2023** and ended on **22 March 2024**. From the commencement of the holiday year on **06 April 2023** to the date of termination of employment she had accrued 125.5 hours annual leave. Of that, she took 87.5 hours annual leave leaving 37.5 hours untaken accrued leave. Her contractual hourly rate of pay was £12 an hour. The outstanding holiday pay equates to £453.
5. That amount was properly payable to her on termination of employment and pursuant to regulation 14 of the Working Time Regulations 1998 but was not in fact paid.
6. I was satisfied that I had sufficient information to issue a judgment under rule 21 of the ET Rules.

Employment Judge **Sweeney**

Date: 30 September 2024