



# EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4107184/2023

Hearing held by video in Glasgow on 14 February 2024

Employment Judge M Whitcombe

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**Mr Jack Scott**

**Claimant**  
**In person**

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**BDR 13 LTD**

**Respondent**  
**Did not attend**

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## JUDGMENT

The respondent is ordered to pay the sum of £454.14 (gross) to the claimant in respect of his accrued entitlement to paid annual leave at the date of termination.

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## REASONS

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1. The claimant was formerly employed by the respondent as a pizza chef. His sole claim is for unpaid entitlement to paid annual leave under regulation 14 of the Working Time Regulations 1998. That may be claimed either under regulation 30, or as a deduction from wages.

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2. The respondent has neither sent in a response (form ET3) nor applied for an extension of time for doing so. It did not attend the hearing. It is clear from other correspondence that the respondent is aware of this hearing and the Tribunal process in general.

3. The claimant gave brief oral evidence on affirmation and, at my request, sent some documentary evidence to the Tribunal during the hearing.

5 4. Helpfully, the respondent's payslips included a running balance of accrued entitlement to paid annual leave, expressed in hours. That makes the calculation very simple. The claimant accepts that the balance on his final payslip is correct and relies on it. He did not take any leave during his employment and, even if he had, that would presumably have been reflected in the balance shown on the payslip. He therefore claims £454.14 based on  
10 an outstanding balance of 39.49 hours of leave at the rate of £11.50 per hour (gross).

15 5. I accept the claimant's evidence and calculation. It is cogent, supported by documents and uncontradicted by any evidence or submissions from the respondent.

6. I gave oral reasons for this judgment at the end of the hearing.

M Whitcombe

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**Employment Judge M Whitcombe**

**Date of Judgment**

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**Entered in register  
and copied to parties**

**14 February 2024**