



EMPLOYMENT TRIBUNALS

Claimant: Mr A Hainsworth

Respondent: Mr J Denton t/a Quarry Grange

HELD AT: Leeds

ON: 23 August 2017

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person

Respondent: Ms S Sanders of Counsel

JUDGMENT

1. The Claimant's claim that the Respondent made an unlawful deduction from his earnings by not paying him for 21 days of holiday accrued for the holiday years ended 31 December 2015 and 31 December 2016 upon termination of his contract of employment succeeds.
2. The Respondent's claim that he overpaid the Claimant by paying to him 7 days' pay in respect of holiday accrued but untaken during the holiday year commencing upon 1 January 2017 in circumstances where the Claimant had only accrued an entitlement to 5 days' holiday as at the date of termination succeeds.
3. The Respondent shall therefore pay the Claimant 19 days' pay in the sum of £2460.12 gross, such sum to be paid on or before 20 September 2017.

Employment Judge Brain

Date: 6 September 2017