



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Jones  
**Respondent:** Priest House Hotel Limited  
**Heard at:** Leicester  
**On:** Friday 28 April 2017  
**Before:** Employment Judge Ahmed (sitting alone)

## Representation

**Claimant:** In Person  
**Respondent:** Mr S Garner, Managing Director

# JUDGMENT AND ORDERS

The judgment of the Tribunal is that:-

1. The Claimant is entitled to a redundancy payment of £479.00 being a shortfall of the redundancy payment made.
2. The Respondent is ordered to pay to the Claimant reimbursement of fees for these proceedings being the issue of £160.00 and a hearing fee of £230.00 being a total of £390.00 (net).
3. The application for a complaint in respect of failure to consult is dismissed as the Claimant has not brought a complaint of unfair dismissal.
4. The complaint in respect of outstanding annual leave or holiday pay is dismissed.
5. The complaint in respect of failure to pay premiums in respect private health insurance as a complaint of breach of contract is dismissed.
6. The Claimant's application for costs (other than the payment of fees dealt with in paragraph 2 above) pursuant to Rule 76 of the Employment Tribunals Rules of Procedure 2013 is adjourned to be heard on a date to be fixed to be heard before the same Employment Judge at the Leicester Hearing Centre with a time estimate of 3 hours.

# ORDER

The following directions shall apply in relation to the costs application and hearing referred to in paragraph 6 of the Judgment above:-

1. The Claimant shall within 14 days of today send to the Respondent a schedule of costs setting out a breakdown of the costs claimed as to how the costs were incurred including the hourly charge out rate applied, the work actually undertaken and the level of fee earner engaged, together with the appropriate timesheets;
2. At least 7 days before the date of the costs hearing the Claimant shall send to the Respondent a statement setting out:
  - 2.1 how the costs were incurred;
  - 2.2 why the Claimant believes Respondent has acted 'unreasonably' within the meaning of Rule 76(1)(a) of the Employment Tribunal Rules of Procedure 2013;
  - 2.3 attach to the statement copies of any invoices and proof of payment of such invoices;
  - 2.4 any other information on which the Claimant intends to rely in support of his application.
3. The parties shall provide to the Tribunal within 7 days of today such dates that are convenient for a costs hearing to take place. Once a hearing date has been fixed it will be adjourned in exceptional circumstances only.
4. In the event that the parties are able to reach agreement on the costs application they shall notify the Tribunal as soon as possible.

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Employment Judge Ahmed

Date: 3 May 2017

JUDGMENT SENT TO THE PARTIES ON

.....20 May 2017.....

.....S.Cresswell.....  
FOR THE TRIBUNAL OFFICE

## NOTES

- (i) The above Order has been fully explained to the parties and all compliance dates stand even if this written record of the Order is not received until after compliance dates have passed.
- (ii) Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.
- (iii) The Tribunal may also make a further order (an “unless order”) providing that unless it is complied with, the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.
- (iv) An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative. Any further applications should be made on receipt of this Order or as soon as possible. The attention of the parties is drawn to the Presidential Guidance on ‘General Case Management’:  
<https://www.judiciary.gov.uk/wp-content/uploads/2014/08/presidential-guidance-general-case-management.pdf>
- (v) The parties are reminded of rule 92: “*Where a party sends a communication to the Tribunal (except an application under rule 32) it shall send a copy to all other parties, and state that it has done so (by use of “cc” or otherwise). The Tribunal may order a departure from this rule where it considers it in the interests of justice to do so.*” If, when writing to the tribunal, the parties do not comply with this rule, the tribunal may decide not to consider what they have written.