



EMPLOYMENT TRIBUNALS

Claimant: Miss H Johnson

Respondent: Ms Rachael Martyn

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. Rachael Martyn is substituted as the correct Respondent to this claim.
2. Pursuant to Employment Tribunal Rule 21, the Respondent has failed to pay the Claimant's holiday entitlement and must pay the Claimant **£454**.

REASONS

The claim was issued in the Leeds Employment Tribunal on 16 November 2021 and served on "Tasty Bites" at its trading address. The Tribunal received correspondence from the new owners of that business, who bought it after the Claimant's dismissal. Their correspondence indicated that the former owner of the business had been made aware of the claim. The Claimant was asked to provide the name and address of the person who employed her under the trading name "Tasty Bites." She confirmed that she was employed by Ms Rachel Martyn and provided an address for her. The new owners of the business had provided copy correspondence with Ms Martyn. I am satisfied she is the appropriate Respondent to the claims, as the person who employed the Claimant at the time of her dismissal.

Although she was evidently already aware of the claim, the claim form was re-sent to Ms Martyn at the address provided by the Claimant on 25 January 2022. She has failed to present a valid response in time and has not corresponded with the Tribunal at all. I consider that a determination can properly be made of the claim in accordance with rule 21 of the Rules of Procedure. The Claimant has specified the amount of holiday pay she says is outstanding and explained why she says she was permitted to carry it forward from the previous holiday year.

Employment Judge Davies
15 February 2022