



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

and

**Respondent**

**Mr S. Dicker**

**3MS Construction Ltd (1)**

**Secretary of State for  
Business and Trade (2)**

**Held at: Exeter by Video**

**On: 9 February 2024**

**Before: Employment Judge Smail**

## **Appearances**

**Claimant:**

In Person

**Respondent:**

No appearance

# JUDGMENT

1. The Claimant's 4 week notice of resignation (given on 7 July 2023, expiring on 4 August 2023) was terminated 4 days early by the First Respondent (with effect from 31 July 2023). In breach of contract, the First Respondent did not pay the 4 days. Whilst the Insolvency Service has paid 4 days at £403 net, the Claimant is owed 4 days at £553.58 net. The First Respondent, therefore, owes £153.58 net for unpaid notice.
2. The Claimant had accrued 6.8 days untaken and unpaid holiday as at 4 August 2023. The First Respondent paid 4.75 days. He is owed 2.05 days.  $£169.36 \times 2.05 = £347.18$  gross.
3. The First Respondent must pay the Claimant the grand total of £500.76 within 14 days.
4. If the First Respondent pays nothing further for holiday pay within that time, the Second Respondent should pay 2 days holiday pay.

5. The Claimant's oral application to add a claim for a redundancy payment is refused.

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Employment Judge Smail  
Date: 9 February 2024

Judgment sent to the parties on 20 February 2024

For the Tribunal Office