

DJT

EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Ms L Howarth

AND

Respondent
Aspire Food Industry
Solutions Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Stoke on Trent

ON 28 September 2009

EMPLOYMENT JUDGE Ashton

MEMBERS Mr G Bagnall
Mrs JA Perks


Representation

For the Claimant: Ms A Knight, Representative
For the Respondent: Mr Kearney, Director

JUDGMENT

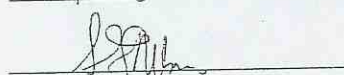
The unanimous judgment of the Tribunal is that the respondent is ordered to pay the claimant:

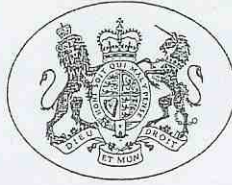
1. £4,500.00 unpaid wages;
2. £405.38 unpaid expenses;
3. £779.69 accrued holiday pay;
4. £5,978.66 compensation for unfair dismissal; and
5. £666.66 in respect of the respondent's failure to provide the claimant with written particulars of her employment.


Employment Judge

Judgment sent to Parties on

14th October 2009





NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2900548/2009

Name of case(s): Ms L Howarth v Aspire Food Industry Solutions Ltd

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("*the calculation day*") 42 days after the day ("*the relevant judgment day*") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 14th October 2009

"the calculation day" is: 25th November 2009

"the stipulated rate of interest" is: 8%


S. SNELSON
For and on Behalf of the Secretary of the Tribunals

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, which you received with your copy of the Tribunal's judgment.
2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding discrimination or equal pay awards or sums representing costs or expenses) if they remain wholly or partly unpaid after 42 days.
3. The 42 days run from the date on which the Tribunal's judgment is recorded as having been sent to the parties and is known as "the relevant judgment day". The date from which interest starts to accrue is the day immediately following the expiry of the 42 days period called "the calculation day". The dates of both the relevant judgment day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request a reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.

* The Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 prescribes the provisions for interest on awards made in discrimination and equal pay cases.