

# [News story: Employment Appeal Tribunal: Changes to how the Insolvency Service calculates holiday pay payments](#)

The Employment Appeal Tribunal decided that holiday pay should take into account commission if individuals were entitled to commission as part of their employment contract (called 'contractual commission').

This decision affects everyone who has ever applied for and received holiday pay from us.

If you have previously received holiday pay from the Insolvency Service you may be eligible for an additional payment related to the contractual commission you were owed by past employer.

This decision does not affect any other payments you received from the Insolvency Service.

## **If you applied for payment after 31 July 2011**

You don't need to do anything yet.

The Insolvency Service will soon be contacting you directly about how to apply for an additional payment if:

- you applied for and received holiday pay from us from August 2011 onwards
- you indicated on your application that you were entitled to contractual commission

## **If you applied for payment before 1 August 2011**

You need to contact the Insolvency Service to apply for an additional payment if:

- you applied for and received holiday pay from us before August 2011
- you indicated on your application that you were entitled to contractual commission

In order for us to determine if you are eligible, we need some supporting evidence from you. So, when you contact us please include copies of the following documents:

- Your contract of employment with your employer at the time (or other evidence relating to that contract)
- Evidence of the commission you usually earned or evidence of the commission you earned in the 12 weeks prior to the date of insolvency

Without this evidence we will not be able to determine if you are eligible for an additional payment.

## **Who isn't eligible**

You are not eligible for an additional payment if:

- we rejected your application for payment and you did not receive any money from the Insolvency Service.
- you did not receive a payment for holiday pay from the Insolvency Service

Please do not contact us if either of the above applies to you or if you do not have the supporting documentation. We will be unable to re-assess your claim without this.

## **Contacting us**

If you would like us to check whether you are eligible for an additional payment, please email or post us your documents 21 September 2017.

Email address: [redundancy.payments@insolvency.gsi.gov.uk](mailto:redundancy.payments@insolvency.gsi.gov.uk)

Postal address:

The Insolvency Service  
Redundancy Payments Service  
PO Box 16685  
Birmingham  
B2 2LX

If you are unable to send us the necessary documents before 21 September 2017 please contact us as soon as possible to let us know on 0330 331 0020.