



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs A Smith

**Respondent:** Morningside Care Ltd

**Heard at:** Manchester

**On:** 7 June 2018

**Before:** Employment Judge Aspden

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr J Peel, consultant

# JUDGMENT

1. The claimant's claim that the respondent made an unlawful deduction from wages by failing to pay her notice pay in November 2017 is made out. The respondent is ordered to pay to the claimant the sum of £3,083.33 being the amount of that unlawful deduction.

2. The claimant's claim that she is owed further arrears of pay is made out. The respondent is ordered to pay to the claimant the sum of £360.42 as damages for breach of contract in respect of the underpayment of wages.

Employment Judge Aspden

Date 24 June 2018

JUDGMENT SENT TO THE PARTIES ON  
12 July 2018

FOR THE TRIBUNAL OFFICE

### **Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

**NOTICE**

**THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990**

Tribunal case number(s): 2424233/2017

Name of Mrs A Smith v Morningside Care Ltd  
case(s):

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision 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 decision day" is: 12 July 2018

"the calculation day" is: **13 July 2018**

"the stipulated rate of interest" is: 8%

MRS L WHITE  
For the Employment Tribunal Office