



EMPLOYMENT TRIBUNALS

Appellant: The Community Foundation

Respondent: The Commissioners for HM Revenue and Customs

Heard at: Birmingham

On: 20 November, 3 December (in chambers) 2018 & 3 January 2019

Before: Employment Judge Benson

Representation

Appellant: Mr N Hussain – lay representative

Respondent: Mr E Beevor - Counsel

JUDGMENT

1. The appeal under section 19C(1)(b) of the National Minimum Wage Act 1998 against the Notice of Underpayment issued by the Respondent is allowed on the grounds that the amount specified in the notice is incorrect.
2. The Notice of Underpayment is rectified with effect from 3 January 2019 as follows:
 - a. Total Underpayment: £2,277.64
 - b. Total amount outstanding for all workers: 2,500.24
 - c. Amount paid to workers at time schedule issued: £0.00
 - d. Total Amount outstanding: 2,500.24
 - e. Penalty charge due: £4,555.28

Employment Judge Benson

Date 3 January 2019

Notes

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.

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Case No: 1303230/2018«case_no_year»

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