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# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

Miss N Upton

**AND**

**Respondents**

Serve Birmingham Limited (1)

James Day (4)

David Smith (5)

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Birmingham

**ON** 29 May 2019

**EMPLOYMENT JUDGE** Woffenden

### Representation

**For the Claimant:** Mr M Blitz of Counsel

**For the Respondent:** Miss A Rumble of Counsel

### **JUDGMENT**

1. The first respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the sum of **£5416.67**.
2. The first claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the gross sum of **£1250**.
4. The respondent has failed to pay the claimant's holiday entitlement (12 days) and is ordered to pay the claimant the sum of **£2136**.

**Employment Judge Woffenden**

Dated: 30 May 2019

NOTE: It appears to the Tribunal (but if in doubt the parties should take independent advice) that income tax and national insurance contributions are payable in respect of the award under paragraph (2) above. If so, provided that the Respondents make appropriate deductions and account therefor to the proper authorities, payment to the Claimant of the "net" sum will represent a valid discharge of this judgment.