



# THE EMPLOYMENT TRIBUNALS

**Claimant:** Mrs L Hardy

**Respondent:** Absolute Services (North East) Limited

**Heard at:** Teesside Justice Centre      **On:** 15 July 2019

**Before:** Employment Judge Morris (sitting alone)

***Representation:***

**Claimant:** In Person

**Respondent:** Neither present nor represented

## JUDGMENT

The Judgment of the Employment Tribunal is as follows:-

- 1) The claimant's complaint under Section 23 of the Employment Rights Act 1996 ("the Act") that the respondent made unauthorised deductions from her wages in that it unilaterally reduced her hours of work from 30 each week to 18 each week resulting in a reduction in her pay from £244.80 to £153.00 per week is well-founded.
- 2) The claimant suffered that reduction in pay of £91.80 per week for 15 weeks from 27 August 2018 until her resignation on 7 December 2018 and the respondent is ordered to pay to the claimant the total amount of those deductions being £1,377.00.
- 3) The claimant's complaint that she was dismissed by the respondent in that, with reference to Section 95(1)(c) of the Act, she terminated her contract of employment in circumstances in which she was entitled to terminate it without notice by reason of the respondent's conduct and that that dismissal was unfair by reference to Sections 94 and 98 of the Act is well-founded.
- 4) In respect of that unfair dismissal the respondent is ordered to pay compensation to the claimant of £1,268.00; that comprising a basic award of £918.00 (6 x £153.00) plus a compensatory award limited to an award in respect of loss of

statutory rights of £350.00, the claimant having not suffered any other loss in consequence of her dismissal.

- 5) The award in respect of unauthorised deduction from wages referred to in paragraph 2) above has been calculated by reference to the claimant's gross pay and any liability to income tax or employee national contributions in respect of that amount shall be the liability of the claimant alone.
- 6) The Recoupment Regulations do not apply to the award of compensation referred to in paragraph 4) above.

**EMPLOYMENT JUDGE MORRIS**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 21 July 2019**

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