



EMPLOYMENT TRIBUNALS

Claimant:

Miss N Williamson

Respondent:

Berkshire Accountants Limited

v

OPEN PRELIMINARY HEARING

Heard at:

Reading by Cloud
Video Platform

On: 4 August 2020

Before:

Employment Judge Chudleigh (sitting alone)

Appearances

For the Claimants: In person

For the Respondent: Mr Shahzah Niazi, director

JUDGMENT

1. At all material times between 15 October 2018 and 30 April 2019, the Claimant was an employee of the Respondent within the meaning of section 230(1) of the Employment Rights Act 1996 ("ERA"). She was not a volunteer.
2. The Tribunal has jurisdiction to hear the claim of unauthorised deduction from wages (a claim for the National Minimum Wage) for the period from 15 October to 25 February 2019 as the compliant was brought in respect of a series of deductions ending on 28 February 2019 and the claim was presented on 2 April 2019 which was within the time limit for bringing claims.
3. The Tribunal does not have the jurisdiction to hear the claim of automatic unfair dismissal under section 104A of the ERA as the claims was brought prematurely, that is on 2 April 2019 when the fixed term contract the Claimant was employed on ended on 30 April 2019.

4. The Tribunal has jurisdiction to hear the claim of detriment under s. 23 of the National Minimum Wage Act 1998 regarding the decision taken on 26 February 2019 to cut her hours from 25 hours a week to 15 hours per week.

Employment Judge Chudleigh

Date: 4 August 2020

Sent to the parties on:

.....20.08.2020.....

For the Tribunal:

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