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# EMPLOYMENT TRIBUNALS

**Claimant:** Miss N Browne-Marke  
**Respondent:** NR Legal Solicitors Limited  
**Heard at:** East London Hearing Centre  
**On:** 21<sup>st</sup> April 2021  
**Before:** Employment Judge McLaren

## Representation

**Claimant:** In person  
**Respondent:** Ms D Baker, director of the respondent

## CORRECTED JUDGMENT

1. The reason or principal reason for the claimant's dismissal was her raising on 19 March 2020 a complaint that she had suffered an unauthorised deduction of wages. Her dismissal was because she had asserted a statutory right and is automatically unfair under section 104 of the Employment Rights Act 1996.
2. The claim for breach of contract for failure to pay notice is upheld.
3. I make a declaration that the respondent has failed to provide employment particulars as required by section 1 and section 4 of the Employment Rights Act 1996. The claimant is awarded four weeks' pay under section 38 of the Employment Act 2002.
4. The claimant is awarded a compensatory award of £14,251 (which includes her notice pay and 4 week's pay under s38)
5. The claimant was underpaid wages throughout her employment and is awarded £622 gross.
6. The claimant was on authorised leave in December 2019 on January 2020 and the deduction from her wages for this period of leave is unlawful. The claimant is awarded £1130.76 gross.
7. Recoupment may apply to this award as follows (taking into account the application of the cap on compensation)

- **Prescribed period** **31/03/2020 to 21/04/2021**
- **Total award** **£14,251.00**
- **Prescribed element** **£9,660.58**
- **Excess of Grand total over Prescribed Element (Balance)** **£4,590.42**

**Employment Judge McLaren**

**Date: 4 August 2022**