



EMPLOYMENT TRIBUNALS

Claimant: Miss K Johnson

Respondent: Thornton Homecare Ltd

Heard at: Midlands West (by Cloud Video Platform)

On: Monday 8 November 2021

Before: Employment Judge Faulkner (sitting alone)

Representation: Claimant - in person
Respondent - did not attend

CORRECTED JUDGMENT

1. The Claimant's complaint of an unauthorised deduction from wages in relation to her pay for February 2021 is well-founded.
2. Accounting for an uplift pursuant to section 207A Trade Union and Labour Relations (Consolidation) Act 1992 for failure to comply with the ACAS Code of Practice on Disciplinary and Grievance matters, the Respondent is ordered to pay to the Claimant accordingly the sum of £1,440.88 (gross).
3. In accordance with rule 66 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, the above amount is payable by the Respondent within 14 days of the date of this Judgment.
4. THE CLAIMANT'S COMPLAINT OF UNAUTHORISED DEDUCTIONS FROM WAGES IN RELATION TO DEDUCTIONS MADE FROM HER PAY FROM SEPTEMBER 2019 TO JANUARY 2021 BUT NOT PAID INTO THE NEST PENSION SCHEME ON HER BEHALF IS WELL-FOUNDED. THE RESPONDENT IS ORDERED TO PAY TO THE CLAIMANT ACCORDINGLY THE FURTHER SUM OF £944.58.
5. THE RESPONDENT WAS IN BREACH OF THE CLAIMANT'S CONTRACT IN FAILING TO MAKE EMPLOYER PENSION CONTRIBUTIONS INTO THE NEST PENSION SCHEME ON HER BEHALF FROM SEPTEMBER 2019 TO

FEBRUARY 2021. THE RESPONDENT IS ORDERED TO PAY THE CLAIMANT

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ACCORDINGLY THE FURTHER SUM OF £711.02.

6. IN ACCORDANCE WITH RULE 66 OF SCHEDULE 1 TO THE EMPLOYMENT TRIBUNALS (CONSTITUTION AND RULES OF PROCEDURE) REGULATIONS 2013, THE ABOVE AMOUNTS ARE PAYABLE BY THE RESPONDENT WITHIN 14 DAYS OF THE DATE OF THIS CORRECTED JUDGMENT.

Note: This was a remote hearing. There was no objection to the case being heard remotely. The form of remote hearing was V - video. It was not practicable to hold a face-to-face hearing because of the COVID-19 pandemic.

Employment Judge Faulkner

Date: 15 November 2021

Date of corrected Judgment: 2 December 2021

Notes

1. 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.
2. All judgments and written reasons for the judgments (if provided) are published, in full, online at www.gov.uk/employment-Tribunal-decisions shortly after a copy has been sent to the parties in a case.

