



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss Marta Domanska

v

The Chair (Buckingham) Limited

Heard at: Cambridge

On: 27 & 28 October 2022

Before: Employment Judge Tynan (sitting alone)

Appearances

For the Claimant: In person

For the Respondent: Mr M Lowrie, Director

JUDGMENT

The Judgment of the Tribunal is as follows:

1. The Claimant's complaint that she was unfairly constructively dismissed by the Respondent is not well founded and is dismissed.
2. The Claimant's complaint that the Respondent dismissed her in breach of contract, by not permitting her to work her statutory notice period or alternatively paying her in lieu of that notice, is well founded. The Tribunal awards the Claimant the gross sum of **£1,276.50** as damages for breach of contract.
3. The Tribunal declares that the Respondent made deductions from the Claimant's wages in contravention of section 13 of the Employment Rights Act 1996 and Orders the Respondent to pay to the Claimant the gross sum of **£781.90** in respect of such deductions.
4. When the proceedings were begun the Respondent was in breach of its duty to the Claimant under Part 1 of the Employment Rights Act 1996 to provide her with a written statement of employment particulars and increases her award by the "minimum amount" of two weeks' pay, namely **£851**. The Tribunal considers that it would not be just and equitable in the

circumstances to increase the award to the Claimant to the “higher amount” prescribed by section 38(4) of the Employment Act 2002.

5. The total of the sums above payable by the Respondent to the Claimant is **£2,909.40**.

Employment Judge Tynan

Date: 28/10/2022

Sent to the parties on: 5 December 2022

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For the Tribunal Office

Note

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.