



EMPLOYMENT TRIBUNALS

Claimant: Miss H Baker

Respondent: McMillan Daley LLP

CERTIFICATE OF CORRECTION **Employment Tribunals Rules of Procedure 2013**

Under the provisions of Rule 69 of schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, the Judgment sent to the parties on 9 August 2022 is corrected as set out in block type at paragraph (2) and paragraphs 1 and 4 of the Schedule.

Employment Judge Brain

Date 31 August 2022.



EMPLOYMENT TRIBUNALS

Claimant: Miss H Baker

Respondent: McMillan Daley LLP

HELD in Sheffield by CVP

ON: 2 August 2022

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person

Respondent: Mr W Haines, Litigation Consultant

JUDGMENT

Unlawful deduction of wages claim brought pursuant to Part II of the Employment Rights Act 1996

UPON the claimant confirming to the Tribunal that she has made arrangements with the Department of Work and Pensions to discharge the liability in their letter to the respondent of 10 May 2022 and UPON the respondent having already made statutory deductions for the purposes of tax and national insurance from the wages unlawfully deducted and UPON the respondent having failed to pay the net amount to the claimant:

1. It is declared that the claimant has suffered an unauthorised deduction from her wages.
2. The respondent shall pay to the claimant the sum of £6318.25 being the net sum due to her.
3. The sum referred to in paragraph 2 shall be paid to the claimant on or before 17 August 2022.

Itemised pay statement claim brought pursuant to Part 1 of the 1996 Act

UPON the Tribunal being satisfied that the claimant was furnished with itemised pay statements for November 2021, February 2022, March 2022 and May 2022 which contained inaccuracies in accordance with the schedule below and UPON

the Tribunal being satisfied that the claimant received no itemised pay statement for April 2022:

- (1) It is declared that the respondent failed to give to the claimant an itemised pay statement for April 2022.
- (2) The itemised payment for April 2022 ought to have particularised her gross pay for that month in the sum of £3166.67 and her net pay in the sum of £2415.46.

THE SCHEDULE

1. November 2021:

For the gross pay, the sum of £1583.33 should read £1727.27. The net pay in the sum of **£1381.97** should read **£1479.87**.

2. February 2022:

The net pay of £3142.29 should read £2970.31.

3. March 2022:

The net pay should read £2411.81 and not the figures set out in the four itemised pay statements given to the claimant.

4. May 2022:

The gross figure of £730.36 should read £719.70. The net figure of £777.76 should read **£782.11**. In addition, the claimant was paid holiday pay which should have been recorded in the itemised payslip in the sum of £657.69 gross and £439.01 net.

Employment Judge Brain

Date 9 August 2022