



EMPLOYMENT TRIBUNALS

Claimant: Mrs Norma Frost (1)
Mrs Marilyn Schofield (2)

Respondent: DMJ Drainage Limited

AT A FINAL HEARING

Heard: At Lincoln

On: 23 January 2023

Before: Employment Judge Clark (Sitting Alone)

Representation

Claimants: In person.

Respondent: Ms C Elsom, Payroll Administration.

JUDGMENT

1. The claimants' claims of unfair dismissal are each **struck out** for want of jurisdiction, the claimants having insufficient qualifying service to present such a claim and no exemptions to the requirement being advanced.
2. The claimants' claims of unauthorised deductions from wages in respect of any entitlement to a "food allowance" **fail and are dismissed**.
3. The claimants' claims of unauthorised deductions from wages in respect of wages paid on or around 24 June 2022 **fail and are dismissed**.
4. The claimants' claims of accrued and outstanding holiday pay at the date of termination **fail and are dismissed** insofar as it is agreed each claimant was entitled to a payment of compensation equivalent to 8.8 days' pay and that that sum was accurately accounted for in the claimants' final payments due.

Mrs Frost (the first claimant)

5. The first claimant's claim of breach of contract (notice pay) **succeeds**. The respondent shall pay the first claimant damages in the sum of **£628.36**.

6. The first claimant's claim of unauthorised deduction from wages in respect of wages paid on or around 2 September 2022 **succeeds**. The respondent shall pay the first claimant the net sum of **£526.15**

Mrs Schofield (the second claimant)

7. The second claimant's claim of breach of contract (notice pay) **succeeds**. The respondent shall pay the first claimant damages in the sum of **£625.96**.
8. The first claimant's claim of unauthorised deduction from wages in respect of wages paid on or around 2 September 2022 **succeeds**. The respondent shall pay the first claimant the net sum of **£242.16**

EMPLOYMENT JUDGE R Clark
DATE 23 January 2023

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.

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