



EMPLOYMENT TRIBUNALS

Claimant: Mrs H Powley

Respondent: Maple Green Fine Foods Limited

Heard at: Mold **On:** 3rd, 4th & 5th April 2023
(in person Days 1 & 2; Day 3 remotely via video)

Before: Employment Judge Howden-Evans
Ms Peel
Mr Stephenson

Representation

Claimant: In person, supported by Mr Powley

Respondent: Mr Ramsbottom, Employment Consultant

JUDGMENT

The tribunal's unanimous decision is:

1. The Respondent has not contravened s39(2) and s13 Equality Act 2010. The Claimant has not been subjected to direct sex or age discrimination.
2. The Respondent has not contravened s99 Employment Rights Act 1996. The Respondent did not dismiss the Claimant because of reasons related to pregnancy or maternity.
3. The complaint of unlawful deductions from wages is well founded. The Claimant is owed **£2,653.06** in respect of commission due under the terms of her contract. This sum should be paid to the Claimant gross and the Claimant will be responsible for any income tax or national insurance payable on this award
4. Interest will accrue at a rate of 8% per annum on any amount of this award that remains unpaid 14 days after the date of this judgment. (See Article 3 (1) Employment Tribunals (Interest) Order 1990).
5. The Employment Protection (Recoupment of Jobseekers Allowance & Income Support) Regulations 1996 do not apply to this award.

Employment Judge Howden-Evans

Date 6th April 2023

JUDGMENT SENT TO THE PARTIES ON 11 April 2023

FOR THE TRIBUNAL OFFICE Mr N Roche

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

