



EMPLOYMENT TRIBUNALS

Claimant: Miss E Evans

Respondent: Vamp Cardiff Ltd

Heard at: Cardiff (by CVP)

On: 19 August 2024

Before: Employment Judge Brace

REPRESENTATION:

Claimant: In person

Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is as follows:

Wages

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 1 January 2024 – 11 February 2024.
2. The respondent shall pay the claimant **£3,469.50**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance

Failure to make pension contributions

3. Any claim for failure to pay pension contributions to NEST on auto-enrolment as a breach of contract claim is not well-founded and is dismissed.

4. The tribunal has no other jurisdiction to make an award in respect of failure to pay pension contributions.

Failure to provide a written statement of employment particulars

5. When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant **£2,313.00**

**Employment Judge Brace
19 August 2024**

Judgment sent to the parties on 21 August 2024

For the Tribunal Mr N Roche

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) 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.