



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs M Jervis

**Respondent:** Digby's Café Ltd

**Heard at:** Midland West, by CVP

**On:** 14 October 2024

**Before:** Employment Judge Hindmarch

## Appearances

For the Claimant: In person

For the Respondent: Did not attend

## JUDGMENT

1. The complaint of unauthorised deductions from wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in April 2024. The Respondent shall pay the Claimant £274.56 which is the gross sum deducted. The Claimant is responsible for the payment of any tax or National Insurance.
2. The complaint of breach of contract in relation to notice pay is well-founded. The Respondent shall pay the Claimant £1,921.92 as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the Claimant will have to pay tax on it as Post Employment Notice Pay.
3. The complaint that the Respondent failed to pay the Claimant a redundancy payment is well-founded. The Respondent shall pay the Claimant £6,875.00.
4. When the proceedings were begun the Respondent was in breach of its duty to provide the Claimant with a correct written statement of employment particulars. There are no exceptional circumstances that make an award equal to two weeks gross pay unjust or inequitable. It is just and equitable to make an award of an amount equal to two weeks gross pay. In accordance with s38 Employment Act 2002 the Respondent shall therefore pay the Claimant £549.12.

**Case Number: 1305437/24**

Employment Judge Hindmarch

14 October 2024