



## EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4106559/2024

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Held in Edinburgh by CVP on 13 November 2024

Employment Judge Sangster

10 **Ms TS Leung**

**Claimant  
In Person**

15 **MB Cafes Limited**

**Respondent  
Mr C Free  
Director**

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### JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Tribunal is as follows:

- 25 1. The claimant's complaint under section 23 of the Employment Rights Act 1996 (**ERA**), succeeds. The respondent is ordered to pay to the claimant the gross sum of **£395.89** which was unlawfully deducted from the claimant's wages, contrary to s13 ERA.
2. The claimant's remaining complaints do not succeed and are dismissed.
- 30 3. The respondent shall be at liberty to deduct from the gross sum of which payment is ordered at paragraph 1 above, prior to making payment to the claimant, such amounts of Income Tax and Employee National Insurance Contributions (if any) as it may be required by law to deduct from a payment of earnings of that amount made to the claimant, and if it does so, duly remits
- 35 such sums so deducted to HM Revenue and Customs, and provides to the

**E.T. Z4 (WR)**

claimant written evidence of the fact and amount of such deductions and of the sums deducted having been remitted to HMRC, payment of the balance to the claimant shall satisfy the requirements of this judgment.

5 Oral reasons were given at the hearing, in accordance with rule 62(2) of the Employment Tribunal Rules of Procedure 2013. Written reasons will not be provided, unless a written request for these is made by one of the parties within 14 days of the date this judgment is sent to the parties

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**Employment Judge: M Sangster**  
**Date of Judgment: 13 November 2024**

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**Date sent to parties**

14/11/2024