



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Duffey

Respondent: Servest Group Ltd

Heard at: Leeds **On:** 28 November 2018

Before:
Employment Judge JM Wade

Representation

Claimant: In person

Respondent: Ms Adams (HR Business Partner)

JUDGMENT

- 1 The claimant's complaint of an unlawful deductions from her wages succeeds. The respondent shall pay to her the sum of £11. 25 representing unpaid proven sums to the termination of her employment.
- 2 In light of the respondent's breach of Section 4 of the Employment Rights Act 1996 (failure to provide an updated Section 1 statement on a change of employer in 2015 or subsequently) I uplift the award by two weeks' pay, a sum of £135 pursuant to Section 38 of the Employment act 2002.
- 3 The total sum payable to the claimant in compensation of £146.25 shall be paid by cheque or electronic means: she is no longer an employee of the respondent and shall not be readmitted to its payroll for this purpose. The claimant's earnings at all material times were below the lower earnings limit.
- 4 I further order the respondent to pay a penalty to the Secretary of State of £100 because of the aggravated features arising in this case, pursuant to Section 12 A of the Employment Tribunals Act 1996.

Note to the parties: I announced to the parties a penalty of £135, but have corrected this error in chambers.

Employment Judge JM Wade

Date 28 November 2018