



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE MORTON
Ms N O'Hare
Ms H Bharadia

BETWEEN:

Ms D Summersett **Claimant**

AND

Churchill Contract Services Limited **Respondent**

ON: 11- 14 December 2017

Appearances:

For the Claimant: Mr Grant, Legal Executive

For the Respondent: Mr Kerr, Representative

JUDGMENT

1. The Claimant suffered unauthorised deductions from her pay in the period between 1 October 2016 and 28 March 2017 in breach of s 1 Employment Rights Act 1996 ("ERA").
2. The Claimant had itemised pay statements made available to her in the same period and her claim that these were not provided fails and is dismissed.
3. The Claimant is entitled to holiday pay for 2016 amounting to the gross sum of £540.
4. The Respondent did not comply with s10 National Minimum Wage Act 1998 when responding to the Claimant's production notice on 16 March 2017.
5. The Respondent discriminated against the Claimant for a reason arising from disability in breach of s15 Equality Act 2010 ("Equality Act").
6. The Respondent failed to make reasonable adjustments for the Claimant in breach of s20 Equality Act.
7. The Claimant was constructively dismissed in breach of s 95 (1)(c) ERA and

s 39 (2)(c) Equality Act.

8. The Respondent did not provide the Claimant with a statement of written particulars compliant with s1 ERA or a statement of changes under s 4 ERA.

Employment Judge Morton

Date: 14 December 2017