



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mrs N Norris

AND

**Respondent**  
TJX UK Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Birmingham      **ON**      17, 18 and 19 January 2022

(This was a hybrid hearing dealt with remotely via CVP for all parties save for the claimant who was present in the tribunal office in Birmingham)

**EMPLOYMENT JUDGE** Dimbylow

### Representation

**For the claimant:** In person

**For the respondent:** Mr J Boyd, Counsel

## JUDGMENT

1. By consent, the claimant's claims for sex discrimination and disability discrimination contrary to the Equality Act 2010 are dismissed upon withdrawal by the claimant.

2. The claimant was unfairly dismissed by the respondent. The claimant caused or contributed to her dismissal to the extent of 75%. I order the respondent to pay compensation to the claimant as follows:

- (i) Basic award:  $1.5 \times 5 \times \text{£}544 = \text{£}4,080.00$ , less 75% =  $\text{£}1,020.00$ .
- (ii) Compensatory award: (a) three months (13 weeks) net salary and respondent's pension contribution amount to  $\text{£}980.71$  per week  $\times 13 = \text{£}12,749.23$ , less 75% =  $\text{£}3,187.30$ , and (b) loss of statutory protection  $\text{£}500.00$ , less 75% =  $\text{£}125$ .
- (iii) The total of the monetary award is  $\text{£}4,332.30$ .
- (iv) Recoupment of benefit applies to part of the award, as the claimant was in receipt of Universal Credit. The prescribed element of the award is  $\text{£}3,187.30$ , and the prescribed period is from the effective

date of termination of the claimant's contract of employment on 15 July 2020 to the date of the remedy hearing on 19 January 2022.

(v) The amount by which the monetary award exceeds the prescribed element is £1,145.00. There is an annex to this judgment concerning recoupment.

3. The claimant's claim for compensation for unlawful deduction from wages is not well-founded, fails and is dismissed.

4. The claimant's claim for damages for breach of contract over notice is well-founded. I find that the claimant caused or contributed to the breach by her own conduct to the extent of 75% and any award made separately under this heading would have been reduced by that amount. However, I make no separate award for damages as this would have duplicated the award for compensation for unfair dismissal.

Signed by \_\_\_\_\_ on 19 Jan. 2022  
Employment Judge Dimbylow

Note: Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Decision sent to parties on 20/01/2022