



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss E Brzuziewska

**Respondent:** Et Alia Limited

**Heard at:** Liverpool

**On:** 25 June 2019

**Before:** Employment Judge Robinson  
(sitting alone)

## REPRESENTATION:

**Claimant:** In person (assisted by Miss A M Lepek, interpreter)

**Respondent:** Not in attendance

# JUDGMENT

The judgment of the Tribunal is that:

1. The claims of the claimant succeed with regard to the unlawful deduction of wages claimed and also with regard to the respondent company not providing the claimant with a written statement of particulars.
2. The sum due to the claimant, therefore, is £760.57 with regard to the unlawful deductions and a further £740 (four weeks' gross pay) as it is just and equitable in all the circumstances to make that award.
3. The total therefore due from the respondent to the claimant to be paid forthwith is £1,500.57.

# REASONS

1. The claimant attended with an interpreter. She told me that she had received from the respondent company as per their email of today's date the sums of £140.98 and £62.64.
2. The respondent agreed that they would pay within seven days £196 but that sum has not been paid as yet.
3. I found that the claimant was owed £198 from the evidence that she gave to me on oath (a week in hand), not £196.

4. The claimant is also owed payment for periods when she took holiday: two weeks in the sum of £217.50 = £435, and a further sum underpaid to the claimant of £127.57.

5. The total therefore owed to the claimant is £964.19 of which the respondent has only paid £203.62.

6. The claimant also said that she had asked for a contract and for terms and conditions and never received those. I therefore accepted that she had not received a written statement of particulars and consequently it is right that her gross pay of £185 per week (which is an average) should be paid for four weeks.

7. Consequently, the total sum due to Ms Brzuziewska is as set out above. In coming to my judgment, I have taken into account the respondent's email dated 25 June 2019 timed at 7.40am.

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Employment Judge Robinson

Date 1 July 2019

JUDGMENT AND REASONS SENT TO THE PARTIES ON  
22 July 2019

FOR THE TRIBUNAL OFFICE

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2402438/2019**

Name of case(s): **Miss E Brzuziewska v Et Alia Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **22 July 2019**

"the calculation day" is: **23 July 2019**

"the stipulated rate of interest" is: **8%**

MISS L HUNTER  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.