



EMPLOYMENT TRIBUNALS

Claimants: Mrs V Faichen

First Respondent: Matthew Patterson

Second Respondent: Innovative Gifting Group Ltd

Third Respondent: Mattco Gift Retailing Ltd

Heard at: Newcastle, by video **On:** 9 February 2022

Before: Employment Judge Aspden

Appearances

For the claimant: In person

For the respondent: No attendance

JUDGMENT

The judgment of the Tribunal is:

1. By virtue of regulation 4 of the Transfer of Undertakings (Protection of Employment) Regulations 2006:
 - a. the claimant's employment with the third respondent was transferred to the second respondent in August 2022; and
 - b. all of the third respondent's duties and liabilities under or in connection with that contract were transferred to the second respondent.

2. The claimant's complaint that the first and second respondent made deductions from her wages in contravention of section 13 of the Employment Rights Act 1996 by failing to pay the following amounts is well founded:
 - a. £957.50 of wages earned in April 2022
 - b. £1177.50 of wages earned in June 2022
 - c. £3000 of wages due from 1 July 2022 to 9 September 2022.

3. The second respondent (Innovative Gifting Group Ltd) must pay to the claimant £5135 (subject to any deductions the respondent is required by law to make and pay to HMRC in respect of income tax or national insurance

referable to that sums), being the total amount deducted from the claimant's wages in contravention of section 13 of the Employment Rights Act 1996.

4. The claims against the first and third respondents are dismissed.

Employment Judge Aspden

9 February 2023

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.