



EMPLOYMENT TRIBUNALS

Claimant: Miss Marta Gogulska

Respondent: Wink Photography (UK) Limited

FINAL HEARING

Heard at: Birmingham

On: 26 June 2019

Before: Employment Judge Camp (sitting alone)

Appearances

For the claimant: in person

For the respondent: Mr D Parker, Director

JUDGMENT

1. The respondent made unauthorised deductions from the claimant's wages and must pay the claimant £161.17, which is the amount of those deductions. It is noted that tax and national insurance has already been paid on that sum, that it should therefore not be subject to further tax and national insurance, and that it is therefore awarded net.
2. The respondent must pay the claimant a further sum of £180.00, pursuant to section 24(2) of the Employment Rights Act 1996.
3. The total sum payable by the respondent to the claimant is **£341.17**
4. It is noted that the respondent appears, in an attempt to take from the claimant money to which it was not entitled, to have falsely told its bank, Lloyds Bank, in July 2018, that a payment it had made into the claimant's TSB bank account of £1,233.33 in late June 2018 had been paid to the wrong payee. The truth was that the payee was correct, but that the respondent thought it had overpaid the claimant and was concerned that it might not be able to recover the amount of the overpayment from the claimant by lawful means. This resulted in £543 being wrongfully paid from the claimant's bank account to the respondent's, on 6 July 2018. The respondent had overpaid the claimant, but only by £381.83, hence the above judgment for £161.17 (being £543 minus £381.83). This is potentially a very serious, indeed criminal, matter.
5. This Judgment was made and took effect on 26 June 2019.

6. Reasons for the Judgment were given orally at the hearing. Written reasons will not be provided unless asked for by a written request presented within 14 days of the sending of this decision to the parties.

Employment Judge Camp

26/06/2019