



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Natalia Zeh

**Respondents:** (1) Mr David Clark MBE  
(2) Mrs Anne Clark  
Both T/A "The Polly Tea Rooms"

**Heard at:** Bristol **On:** 10 and 11 May 2023

**Before:** Employment Judge Midgley  
Mr H Adam

## Representation

**Claimant:** Ms Dineen (lay representative)  
**Respondent:** Mr Goldup (solicitor)

# JUDGMENT

**UPON** the respondent conceding that:

- (a) The claim of breach of contract for unpaid notice pay is well founded and that the claimant is owed 1 weeks' notice pay
- (b) The claim of unauthorised deduction of wages is well founded in respect of the claimant's claim for tips
- (c) The claim of unauthorised deduction of wages in respect of salary is well founded

**AND UPON** the claimant conceding that she has been paid all outstanding wages

**The unanimous Judgment of the Tribunal is:**

1. The claim of breach of contract is well founded and succeeds and the respondent is Ordered to pay **£480.00** gross
2. The claim for unauthorised deduction of wages is well founded and succeeds and the respondent is ordered to pay the following sums:
  - a. Unpaid tips **£78.37**
  - b. Unpaid salary Nil

3. The respondents failed to provide the claimant with a written statement or employment particulars and is ordered to pay the claimant two weeks gross pay pursuant to s.38 EA 2002 being **£960.00** gross.
4. The claim of direct race discrimination is well founded and succeeds. The respondent is ordered to pay the claimant compensation of **£7500.00** and interest at 8% amounting to **£854.77<sup>1</sup>** for injury to feelings.

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Employment Judge Midgley

Date 19 May 2023

Judgment sent to the Parties on 05 June 2023

For the Tribunal Office

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<sup>1</sup> 7500 @ an annual rate of 8% = £600 = £1.64 a day; 26.11.21 – 10.5.23 = 530 days