



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S D'Angelo

**Respondent:** Valentino's Ipswich Limited (in Liquidation)

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The Respondent fundamentally breached the Claimant's contract of employment by unlawfully deducting wages, as pleaded and not defended and the Claimant left because of such breach, and as such was constructively dismissed, thus entitling the Claimant to damages equal to 1 week's net pay, as per the schedule of loss and summarised below.
2. The Respondent breached section 13 Employment Rights Act 1996 by virtue of the above deductions, as pleaded and not defended entitling the Claimant to a payment equal to such shortfall, as per the schedule of loss and summarised below.
3. The Claimant was entitled to a pro-rata of 28 days paid holiday including bank holidays, and the Claimant left employment with accrued and untaken holiday, which remains outstanding, as per the schedule of loss, as pleaded and not defended. As such, the Respondent is ordered to pay this sum and summarised below.
4. In summary the Respondent is to pay the Claimant the sums of: -
  - a. £267.11 as damages in lieu of notice;
  - b. £1090.00 for unlawful deductions of wages; and
  - c. £300.00 for accrued but untaken holiday.

Employment Judge Laidler

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Date: 28 March 2018

JUDGMENT SENT TO THE PARTIES ON

.....12 April 2018 .....

AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE