

af



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

**and**

**Respondent**

**Mr R Miranda Garcia**

**ACA ASPVM Decorators Ltd**

## JUDGMENT

In default of the Respondent presenting a Response within the relevant time limit and having regard to Rule 21, Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, the Judgment of the Tribunal is that:

1. The Claimant's claim of an unauthorised deduction from wages is well-founded and the Respondent shall pay to the Claimant the sum of £1,538.46.
2. The Claimant's claim of breach of contract is well-founded and the Respondent shall pay to the Claimant the sum of £2,407.69.
3. The Claimant's claim for accrued annual leave on termination of employment is well-founded and the Respondent shall pay to the Claimant the sum of £1,412.30.
4. The Claimant's claim of unfair dismissal is well-founded and the Respondent shall pay to the Claimant a Basic Award of £1,538.46 and a Compensatory Award of £3,384.61 (being 10 weeks' loss of earnings from the date of dismissal, less three weeks' notice pay awarded above and £2,000 earned by the Claimant during that period).
5. The Claimant also claims race discrimination which would require a separate hearing for consideration, but the Claimant confirmed that he is not pursuing any claim for injury to feelings and any other loss is covered by the above award. Accordingly, that claim is withdrawn.

---

Employment Judge Freer  
Date: 23 February 2018