



Case Number: 3323482/2019

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EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr N Rigas

and

Respondent
The Hotel Folk Ltd

Held at Norwich on 6 February 2020

Representation

Claimant:

No appearance or
representation

Respondent:

Mrs T Palmer, Head of HR

Employment Judge Kurrein

JUDGMENT

- 1 The Claimant's claims are not well founded and are dismissed.

REASONS

- 1 On 22 September 2019 the claimant presented a claim to the tribunal alleging breach of contract and unauthorised deductions from his wages. On 30 October 2019 the respondent presented a response to that claim asserting that the claimant had been paid his notice pay and that the deductions it had made from his pay were authorised and reasonable.
- 2 The Claimant has not attended today's hearing, and his mobile phone is not being answered. The Respondent is present with two witnesses, a carefully prepared bundle and witness statements.
- 3 I concluded that in all the circumstances of the case it was in the interest of justice to continue the hearing in the absence of the claimant.
- 4 I heard the evidence of Mrs Palmer, head of human resources, and Mr D Scott, chief executive officer. I considered the documents to which I was referred.
- 5 I make the following findings of fact.
 - 5.1 The claimant was born on 17 October 1966 and started the probationary period as a night porter in the respondent's hotel on 21 November 2018.
 - 5.2 That probationary period was extended more than once. He was due to attend a further probationary review meeting on 24 April 2019 and failed to do so.

- 5.3 The claimant had locked himself into the accommodation provided by the respondent and in all the circumstances Mr Scott took the view that the claimant should be dismissed. He was asked to vacate the premises but did not do so until the police attended at 9 pm that evening.
- 6 The claimant has alleged that he has not been paid for the one weeks notice to which he was entitled and that unauthorised deductions have been made in respect of the respondent property.
- 7 I am satisfied that the claimants contract of employment and agreement as a live-in employee entitled the respondent to make deductions from his wages in respect of sums due to the respondent for overpayments and or damage.
- 8 I am satisfied on the evidence that the claimant was paid in full for the whole month of April. He only worked until the 24 April 2019, so was not entitled to any further payment. The respondent's calculations of his shifts and payments are correct.
- 9 I am also satisfied that the claimant broke a fridge shelf and failed to have his bedding laundered such that it was unusable. The respondent has established the costs of replacement to my satisfaction.
- 10 In the above circumstances the claimant claims are not well founded and must be dismissed.

Employment Judge Kurrein

Date: 6 February 2020

Sent to the parties and
entered in the Register on

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For the Tribunal

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