



# EMPLOYMENT TRIBUNALS

## Claimant

## Respondent

Mr Cosimo D'Amato

v

Anthony Frank Limited

**Heard at:** Cambridge

**On:** 16 July 2021

**Before:** Employment Judge Ord

## Appearances

**For the Claimant:** In person

**For the Respondent:** Did not attend and was not represented

**Interpreter:** Manuella Castello, Italian speaking, attended via CVP

## JUDGMENT on REMEDY

1. The Claimant has suffered unlawful deductions from his wages for the period 1 September 2020 to 4 January 2021 (18 weeks).
2. The Claimant's weekly net wage was £244.03 and his gross weekly pay was £269.88.
3. The Claimant received furlough pay up to and including 31 August 2020. He worked at a restaurant operated by the Respondent at Kings Avenue, London.
4. The Claimant was receiving furlough pay up to 31 August 2020, but did not receive any payment from 1 September 2020 onwards. He asked what was happening and received no reply. He asked for a copy of his Contract of Employment and was refused any such document.
5. The Claimant made efforts to find out what was happening and ultimately had to seek alternative work which began on 4 January 2021.
6. In the absence of any evidence to the contrary, I was satisfied that 4 January 2021 was the effective date of termination.
7. The period of 1 September 2020 to 4 January 2021 is a period of 18 weeks. The Claimant has suffered loss of earnings for that period at the rate of £244.03 per week, a total of £4,392.54.

8. The Claimant was not provided with written terms and conditions of his employment. I award two weeks pay at the figure of £269.88, a total of £539.76.
9. Accordingly:
  - 9.1 The Claimant has suffered unlawful deductions from wages in the sum of **£4,392.54**;
  - 9.2 The Claimant is awarded the sum of **£539.76** for the Respondent's failure to provide him with a written statement of the terms and conditions of his employment;
  - 9.3 The total award to the Claimant is therefore **£4,932.30**

21 July 2021

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Employment Judge Ord

Sent to the parties on: 12 August 2021

S. Bhudia

For the Tribunal Office

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.