



EMPLOYMENT TRIBUNALS

Claimants: (1) Miss S Bellucci
(2) Mr Robin Clarke

Respondent: Mr Robert Perkins

Heard at: Bristol (By video) **On: 4 May 2022**

Before: Employment Judge Midgley

Representation

Claimants: Miss C Mallin-Martin, Counsel

Respondent: Mr P Sayers, Solicitor

JUDGMENT ON RECONSIDERATION

UPON the respondent conceding that the claimants were unfairly dismissed and that the respondent failed to provide them with a written statement of employment particulars

AND UPON the claimants conceding that the application for reconsideration was made promptly

AND FURTHER UPON the promulgation of the Judgment being delayed and the respondent's application for a variation of the dates for compliance with the deposit and costs Orders:

1. The application for reconsideration of the Judgment on remedy for all claims succeeds and the Judgment is revoked.
2. The application for reconsideration of the liability Judgment in respect of the claims of unauthorised deductions of wages and underpayment of the national minimum wage succeed; the Judgments are revoked;
3. The application for reconsideration of the the liability Judgment for unpaid annual leave is dismissed;
4. The respondent is ordered to pay a deposit of £1000.00 by 25 May 2022 in

respect of each claimant in relation to the following claims:

- 4.1. Unfair dismissal (arguments as to Polkey and contributory conduct);
- 4.2. Unauthorised deduction of wages and underpayment of the national minimum wage.
5. The respondent is ordered to pay the claimant £5,029.00 +VAT in respect of the claimant's costs by 25 May 2022.
6. The claims of unfair dismissal, unauthorised deduction of wages and underpayment of the national minimum wage will be listed for a final hearing, notice of which will be sent to parties by separate notice.
7. The parties must by 25 May 2022 send to the Tribunal, marked for the attention of Employment Judge Midgley:
 - 7.1. The dates to avoid for their representatives and witnesses for the period November 2022 to January 2023
 - 7.2. Draft directions for the preparation for a final hearing of the claims.

Employment Judge Midgley
Date: 17 May 2022

Judgment sent to the parties: 18 May 2022

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.