



# EMPLOYMENT TRIBUNALS

**Claimant:** C1 Mr J Smythe  
C2 Mr F Smythe  
C3 Miss E Smythe

**Respondent:** Cucina Mexicana Limited

**Heard at:** Liverpool by CVP **On:** 6 and 7 September 2022

**Before:** Employment Judge Aspinall

## Representation

**Claimant:** C1 Litigant in person, C1 for C2 and C3  
**Respondent:** Mr Husain

# JUDGMENT

The first claimant's complaint of unauthorised deduction from wages, outstanding holiday pay and failure to provide written terms and conditions FAILS. The first claimant was not an employee or worker of the respondent.

The second and third claimants' complaints of outstanding holiday pay and failure to provide written terms and conditions FAIL. They were not employees nor workers of this respondent.

Employment Judge Aspinall

Date 7 September 2022

**Case No: 2408167-21  
2408168-21  
2408169-21**

JUDGMENT SENT TO THE PARTIES ON

12 September 2022

FOR THE TRIBUNAL OFFICE

Notes

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.

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