



# EMPLOYMENT TRIBUNALS

**Claimant:**

Mr J Fernandes Torres

v

**Respondent:**

D&A Commercial Cleaning Ltd

**Heard at:** Bury St Edmunds (via CVP)

**On:** 9 December 2022

**Before:** Employment Judge Fredericks

**Appearances**

For the claimant: In person

For the respondent: Did not attend

## JUDGMENT

1. The case was heard in the absence of the Respondent under Rule 47 Employment Tribunals Rules of Procedure 2013. Before proceeding on this basis, it was concluded that:-
  - 1.1 the Respondent had not provided contact details other than an e-mail address;
  - 1.2 the Respondent had been sent notice of this hearing to the details provided;
  - 1.3 the Respondent had not attended the last hearing in this matter on 22 September 2022 despite having been sent notice of it;
  - 1.4 the Respondent had submitted no witness statements or done any act which indicated an intention to attend the hearing today; and
  - 1.5 no reasons for non-attendance had been provided.
2. The Respondent made an unlawful deduction from the Claimant's wages in September 2021 and it is ordered to pay the gross amount of £520;
3. The Respondent did not pay the Claimant 20 days accrued but untaken holiday, at an average rate of £120 per day, and so the Respondent is also ordered to pay the gross amount of £2,400; and
4. Consequently, the total gross amount that the Respondent is ordered to pay the Claimant is **£2,920**.

**Case Number: 3322406/2021**

**Employment Judge Fredericks**

Date: 9 December 2022

Sent to the parties on:

18 December 2022

For the Tribunal Office:

GDJ

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