



## EMPLOYMENT TRIBUNALS

**Claimant** Beata Czerwinska  
**Respondent** Fitzroy Lodge Care Home (a firm)

**Heard at:** Bodmin Magistrates Court (by video) **On:** 17 May 2023  
**Before:** Employment Judge Hogarth

### Appearances

For the claimant: Mr Devlin, Counsel  
For the respondent: Mr Beeharry (partner) in person

## JUDGMENT

1. By consent, the name of the respondent on the case record is amended to "Fitzroy Lodge Care Home (a firm)".
2. The claim for a statutory redundancy payment is dismissed upon withdrawal by the claimant
3. The claim for unfair dismissal succeeds. The claimant was constructively dismissed by the respondent and the respondent has not shown that there was a potentially fair reason for the dismissal.
4. The respondent made a series of unauthorised deductions from wages by failing to pay the claimant's wages for the period from 4 January 2022 to 19 April 2022 (apart from payment for 29 hours of cleaning work performed by the claimant between 28 February and 4 March 2022).
5. A remedies hearing will be listed for the determination of all issues relating to remedy.

**Employment Judge Hogarth**

Dated: 17 May 2023

Judgment sent to the parties: 12 June 2023

For the Tribunal Office

*Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.*

