



THE EMPLOYMENT TRIBUNAL

Claimant: Mr Casaburro

Respondent: Argentina in UK Ltd t/a Casa Argentina (in Liquidation)

Heard at: London South Employment Tribunal by video hearing

On: 8 April 2024

Before: Employment Judge Robinson

Representation

Claimant: In person (with Mr Ferrando from the West London Equality Centre as interpreter)

Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is that:

1. The Respondent made unauthorised deductions from wages by failing to pay the Claimant the full amount of wages due from May 2021 to October 2022 and is ordered to pay the Claimant the sum of **£27,232.40**. The Claimant will need to account for tax and national insurance contributions due on that amount.
2. The Respondent made unauthorised deductions from wages by failing to pay the Claimant in lieu of accrued but untaken annual leave on termination of employment. The Respondent was also in breach of contract by dismissing the claimant without notice. For the unpaid holiday pay and unpaid notice pay combined, the Respondent unlawfully withheld from the Claimant the net sum of **£4,001.43**.
3. The Respondent made an unauthorised deduction from wages by failing to pay the Claimant his entitlement to sick pay. The Respondent unlawfully withheld from the Claimant the net sum of **£1,252.32**.
4. Having had £1,000 deducted from his pay in both June 2021 and July 2021, the Claimant had repaid £2,000 of the £11,000 loan the Claimant accepted he had received from the Respondent. The remaining amount due on that loan is **£9,000**.
5. Taking the outstanding loan amount of £9,000, and deducting the holiday pay,

notice pay and sick pay due to the Claimant as set out in paragraphs 2 and 3 above (and which total **£5,253.75**), the remaining loan balance due by the Claimant to the Respondent is **£3,746.25**.

6. Provided that the Respondent first complies with paragraph 1 above in full, the Claimant is ordered to pay the Respondent the sum of **£3,746.25** as full and final repayment of the outstanding loan.

Employment Judge Robinson
Date: 8 April 2024

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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