



# EMPLOYMENT TRIBUNALS

Wales  
9th June 2025 (video)

**Claimant:** Vlademiro Carvalho Rocas

**Respondent:** Jeffrey Cusworth

**Before:** Judge M Aspinall (sitting alone as an Employment Judge)

**Appearances:** Both parties in person

## JUDGMENT

1. The Respondent deducted sums from the wages properly due to the Claimant in the sum of **£1,702.95** (as confirmed by the Respondent). These sums were deducted to be paid as employee contributions to the NEST pension; the Respondent confirmed that they were not.
2. It is declared that those deductions were unlawful and that the Respondent must repay that sum to the Claimant, without any deductions, within 14 days
3. The Claimant shall be required to account to HMRC for any tax or other statutory deductions properly due on that sum once it is received.
4. The Respondent's counter claim must be dismissed as it is not validly brought in a case where the Claimant was not claiming a Breach of Contract.

**APPROVED**  
**Judge M Aspinall**  
**Monday, 9th June 2025**

**ISSUED by THE TRIBUNAL**

**DATE: 26 June 2025**

**SIGNED: Kacey O'Brien**  
**For the Tribunal**

**Written reasons:** Reasons for the judgment having been given orally at the hearing, full written reasons will not be provided unless a request was made by either party at the hearing, or a written request is received - by the Tribunal - from either party within 14 days of the date on which this written record of the decision is sent/issued.

**Publication and public access to judgments and decisions:** Judgments, decisions and reasons of Employment Tribunals are published in full shortly after the judgment or decision has been sent to the parties in the case. These can be found at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions)

**Recording and transcription:** Where a Tribunal hearing has been recorded you may request a transcript of the recording for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, verified or approved by a Judge. More information can be found online in the Joint Presidential Practice Direction on Recording and Transcription of hearings, and in the accompanying guidance. Both can be found at [www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions](http://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions)