



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Casmiro

**Respondent:** Woodchop Catering Services Ltd

**Heard at:** Cardiff

**Before:** Employment Judge C Sharp  
(sitting alone)

**Representation:**

**Claimant:** In person

**Respondent:** Not in attendance

## JUDGMENT

The judgment of the Tribunal is that:

1. The Tribunal did not apply Rule 47 despite the absence of the Respondent as evidence was required in respect of quantifying the claims and finding disputed facts;
2. The Claimant's claim for unauthorised deduction from wages is not well-founded and is dismissed.
3. The Claimant's claim of wrongful dismissal is well-founded. However, it is dealt with under the unfair dismissal claim and no further compensation is due;
4. The Claimant's claim of breach of contract is well founded. The Respondent must pay the Claimant £100 in respect of the unpaid clothing allowance due in May 2024;
5. The Claimant's claim for accrued unpaid holiday leave is well founded. The Respondent must pay £233.34 (gross) to the Claimant;
6. The Claimant's claim for a statutory redundancy award is well founded. The Respondent must pay to the Claimant £3500.16;

7. The Claimant's claim of unfair dismissal is well founded. No basic award is made due to the redundancy award. The compensatory award is £350 for loss of statutory rights and 4 weeks' net notice pay of £1912.76 (the Norton Tool principle was applied). The Respondent must pay the Claimant £2262.76.
8. The Recoupment provisions do not apply.

Approved by Employment Judge C Sharp  
Dated: 12 February 2025

ORDER SENT TO THE PARTIES ON

13 February 2025

Kacey O'Brien  
FOR THE SECRETARY TO EMPLOYMENT TRIBUNALS

### **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.

### **Public access to employment tribunal decisions**

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### **Recording and Transcription**

Please note that if 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, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>