



## EMPLOYMENT TRIBUNALS

**Claimant/Respondent:** Mrs N.N.

**Respondent/Claimant:** Mr N.N. trading as Rendezvous Cafe

**Heard:** By CVP **On:** 2 to 4 March 2022

**Before:**

Employment Judge N.N.

**Representation**

Claimant: Mr N.N. (Community the Union)

Respondent: In person

Note: A summary of the reasons provided below were provided orally in an extempore Judgment delivered on 4 March 2022, the written record of which was sent to the parties on 9 March 2022. A written request for written reasons was received from the respondent on 11 March 2022. The reasons below, corrected for error and elegance of expression, are now provided in accordance with Rule 62 and in particular Rule 62(5) which provides: In the case of a judgment the reasons shall: identify the issues which the Tribunal has determined, state the findings of fact made in relation to those issues, concisely identify the relevant law, and state how the law has been applied to those findings in order to decide the issues. For convenience the terms of the Judgment given on 4 March 2022 are repeated below:

### JUDGMENT

1. The claimant's complaints of constructive unfair and wrongful dismissal are dismissed.
2. The respondent's counterclaim is dismissed.
3. The claimant's complaint of unlawful deductions from wages is dismissed, save in respect of an attendance at work on 12 October 2020.
4. The claimant's complaint of accrued holiday pay on the termination of employment succeeds.
5. The respondent shall pay to the claimant the sum of £395.85 (seven days' gross pay).
6. The award above is increased by two weeks' pay and the respondent shall pay a further £615.76 to the claimant because he had not provided the claimant with a statement of employment particulars.
7. The recoupment regulations do not apply to the awards above.

### REASONS

#### Introduction

1. The claimant brought the complaints above, assisted by her union throughout. The respondent acted as a litigant in person, having conducted advocacy in a former life.
2. I heard oral evidence from the claimant and her union representative, the respondent and his wife. I also watched CCTV of a meeting between them all, for which there was no sound. I had a helpful file of documents. The main claim was constructive dismissal – both wrongful and unfair. There were also breach of contract claims by both parties and unlawful deductions from wages/holiday pay complaints from the claimant.

Källa: [Mrs N Dack v Mr P Bleach T/a Rendezvous Cafe: 1801196/2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/cases/mrs-n-dack-v-mr-p-bleach-t-a-rendezvous-cafe-1801196/2021)

Observera att texten kan ha redigerats och att personuppgifter kan ha anonymiserats.