



EMPLOYMENT TRIBUNALS

Claimant:

Mr A Cannavale

v

Respondent:

Delightfully Greek Limited

Heard at:

Reading by CVP

On: 22 May 2023

Before:

Employment Judge Hawksworth

Appearances

For the Claimant: In person

For the Respondent: No attendance or representation

JUDGMENT

1. Mr Cannavale's complaint of unauthorised deduction from wages is well founded and succeeds. Delightfully Greek Limited was not entitled to make any deduction for training costs from Mr Cannavale's June 2022 pay. The written contract did not include a right to deduct training costs. No verbal agreement was made to allow deduction of training costs, but even if it had been, it would not have been valid because the contract said at paragraph 36 that only written changes could be made to it.
2. The respondent is ordered to pay Mr Cannavale the sum of £442.00.
3. No additional award is made in respect of a failure to comply with the Acas Code of Practice because Delightfully Greek Limited sent a reply to Mr Cannavale's complaint letter of 14 July 2022 and, bearing in mind the size of the employer, any failures to comply with the Code were not unreasonable.

Employment Judge Hawksworth

Date: 22 May 2023

Sent to the parties on: 22/5/2023

N Gotecha - For the Tribunal Office

Note:

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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All judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.