



EMPLOYMENT TRIBUNALS

Claimant: Mr A Wong

Respondent: Zackeria Issak

JUDGMENT

Issued pursuant to Rule 21 of the Employment Tribunals
(Constitution and Rules of Procedure) Regulations 2013

THE TIME for presenting a response having expired and no, or no valid, response having been presented and on the available material before the Employment Judge it is adjudged that:-

1. The complaint of unfair dismissal pursuant to Section 111 of the Employment Rights Act 1996 is declared to be well founded and the Respondent is ordered to pay to the Claimant forthwith
 - (a) the sum of £1400.00 as a basic award and
 - (b) the sum of £4611.00 as a compensatory award.
2. In accordance with the provisions of Section 13 of the Employment Rights Act 1996 the complaint of unauthorised deduction from wages succeeds and in accordance with Section 24 of the Act the respondent is ordered to pay to the claimant forthwith the amount so deducted being £660.00 net.
3. In accordance with the provisions of Regulations 13, 14 and 30 of the Working Time Regulations 1998 the complaint in respect of the claimant's entitlement to payment for leave taken or in lieu of accrued but untaken leave succeeds and the respondent is ordered to pay to the claimant forthwith the sum of £957.00 net.
4. Pursuant to Section 207A of the Trade Union & Labour Relations (Consolidation) Act 1992 (as amended) and it appearing to the Employment Judge that the Respondent has failed to comply with a relevant part of the ACAS Code of Practice 1. Disciplinary and grievance procedures (2009) and considering it just and equitable to do so the awards in paragraphs 1(b), 2 and 3 above are increased by 25% being the sum of £1557.00.
5. The Respondent is further ordered to pay £1400.00 (4 weeks pay) pursuant to section 38 of Employment Act 2002 for failure to provide written terms and conditions of employment.
6. The Respondent is further ordered to pay costs to the Claimant in the sum of £5.00 in reimbursement of the Tribunal issue fee partly paid by him.
7. The hearing listed for 15th May 2017 is vacated.

Employment Judge Lancaster

Date: 22 March 2017

Sent on: 22 March 2017