



## EMPLOYMENT TRIBUNALS

Claimant

Respondent

**Mr A Hussain**

v

**Grencore Prepared Meals Limited**

### PRELIMINARY HEARING

Heard at: **Sheffield**

On: **14 December 2017**

Before:

**Employment Judge Rostant**

Members:

**Mr M Lewis**

**Mr A J Senior**

Appearance:

For the Claimant:

**Mr Miah, Solicitor**

For the Respondent:

**Mr Liberazki, of Counsel**

### JUDGMENT

It is the unanimous Judgment of the Tribunal that:

1. The claim of unfair dismissal succeeds but that compensation be reduced by 75% (Polkey) and uplifted by 15% for breaching the ACAS Code.
2. The Tribunal awards the claimant the sum of £12,326.36 in compensation for unfair dismissal and the respondent is ordered to pay that sum.

That sum is calculated as follows:

2.1	Basic Award (agreed) at	£8,231.16
2.2	Loss to date of hearing 41 weeks, less 12 weeks notice and 10 weeks reduction for failing to mitigate 19 weeks at £317.92	£6,040.48
2.3	Loss of statutory rights	£ 500.00
2.4	Expenses for looking for work	£ 200.00
2.5	Future Loss – 26 weeks at £317.92	£7,503.66
	Total Compensation	<b><u>£14,244.16</u></b>
	Less 75% (Polkey)	£3,561.04
	Plus 15% increase	£4,095.20
	Grand Total	<b><u>£12,326.36</u></b>

3. The claim of breach of contract succeeds and is upheld.
4. The Tribunal orders the respondent to pay the claimant the sum of **£3,815.04** as compensation for breach of contract.
5. By a majority the claim of harassment related to race fails and is dismissed.
6. It is the unanimous decision by the Tribunal that all other claims fail and are dismissed.

**Employment Judge Rostant**

Date: 22 December 2017