



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr F Ali

**Respondent:** Incentive Facilities Management Limited

**HELD AT:** Manchester

**ON:**

6 March 2018

**BEFORE:** Employment Judge Hill  
Mr J Ostrowski (Member)  
Mr S T Anslow (Member)

## REPRESENTATION:

**Claimant:** Mr Musa (Friend)

**Respondent:** Mr T Thompson (Solicitor)

## JUDGMENT AS TO REMEDY

The Judgment of the Tribunal is that:

1. The respondent is ordered to pay the claimant compensation for automatic unfair dismissal and race discrimination in the sum of **£23,121.11**, calculated as follows:

(a) Basic Award

Section 119 of the Employment Rights Act 1996

12.5 weeks x £409.85

£5,123.12

Total Basic Award

**£5,123.12**

- (b) Compensatory Award  
Section 123 of the Employment Rights Act 1996

Prescribed Element

Loss of earnings to date of hearing	£4,598.53	
Total Prescribed Element		<u>£4,598.53</u>

Non-Prescribed Element

Future Loss of earnings (52 weeks x £37.58 net)	£1954.16	
Loss of statutory rights	£500.00	
Loss of Pension on loss of earnings		
1% of gross salary £409.85 x 9 weeks	£36.89	
1% of gross salary £61.66 x 42 weeks	£25.90	
Loss of Pension on future loss of earnings		
1% of gross salary £61.66 x 4 weeks	£2.48	
3% of gross salary £61.66 x 48 weeks	£90.64	
Total Pension Loss		<u>£154.07</u>
Total Non Prescribed Element		<u>£2,607.23</u>

- (c) Injury to Feelings

Middle Band Vento	£10,000	
Interest @ 8% x 361 days	£791.23	
Total Injury to Feelings		<u>£10,791.23</u>

- (d) Total Compensatory Award **£23,121.11**

2. The Recoupment Regulations apply. The prescribed period is 10 March 2017 to 6 March 2018. The total award is £23,121.11. The amount of the prescribed element is £4,598.53. The excess of the total award over the prescribed element is £18,522.58.

3. The Claimant's application for a preparation time order fails and is dismissed. There is no order for costs.

Employment Judge E Hill

17 March 2018

JUDGMENT SENT TO THE PARTIES ON

18 April 2018

FOR THE TRIBUNAL OFFICE

[AF]

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.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2403335/2017

Name of case: Mr F Ali v Incentive Facilities Management Ltd

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 18 April 2018

"the calculation day" is: 19 April 2018

"the stipulated rate of interest" is: 8%

MR S ARTINGSTALL  
For the Employment Tribunal Office