



EMPLOYMENT TRIBUNALS

Claimant: Mr Sergejs Grozenoks

Respondents: (1) Nadim Hanif
(2) Andleeb Hanif
Trading as Asian Express Newspapers/Buzz Media

Heard at: Leeds **On:** 5 July 2018

Before: Employment Judge Bright

Representation

Claimant: Mr Johnson (solicitor)
Respondent: Not in attendance

JUDGMENT ON REMEDY

1. The respondents are jointly and severally liable to pay to the claimant the sum of eleven thousand, nine hundred and thirty seven pounds and forty five pence (**£11,937.45**). That sum comprises:
 - 1.1. Compensation for unfair dismissal of £6,435.05 (calculated as set out in Table A below);
 - 1.2. Damages for breach of contract in respect of notice of £2,166.66.
 - 1.3. Compensation for unauthorized deductions from wages of £3,335.74.
2. The Recoupment Regulations do not apply.
3. The claim of unauthorized deductions from wages in respect of tax and national insurance payments deducted but not paid to Her Majesty's Revenue and Customs ("HMRC") is withdrawn, but not dismissed.

REASONS

1. Reasons for the judgment on remedy having been given orally at the hearing, written reasons will not be provided unless a request is 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.

2. The reason for the non-dismissal of the claim at paragraph 3 above is that it is presently not clear whether HMRC may seek payment of that tax and/or national insurance from the claimant. While HMRC are currently agreeing to credit the claimant with having made those payments, the claimant should not be estopped from pursuing those unauthorized deductions should he need to do so in the future.

TABLE A

1. Basic award: £479.00 x 3 years x 1 (claimant aged 34) = £1473.00
2. Compensatory award:
 - a. Past loss of earnings: 25 weeks x £402.00 = £10,854.00 (less income 27 weeks x £346.15 = £9,346.15) = £1,057.85
 - b. Future loss of earnings: 52 x £55.85 (£402.00 – £346.15) = £2,904.20
3. Loss of statutory rights: £1,000.

Employment Judge Bright

Date 5 July 2018

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.