



EMPLOYMENT TRIBUNALS

Claimant: XY

Respondent: BBQ Kebab House (South West) Limited (1)
Mr A Hussain (2)

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the Reserved Judgment sent to the parties on 23 July 2019 is corrected as set out in the attached Judgment.

Employment Judge Goraj

Date 7 August 2019

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.



EMPLOYMENT TRIBUNALS

Claimant XY

Respondent BBQ Kebab House (South West) Limited (1)
Mr A Hussain (2)

Heard at: Exeter

On: 11 & 12 July 2019

Before:

Employment Judge Goraj

Members Mrs S Richards

Mr I Ley

Representation

Claimant: Mr Falcao, solicitor

The Respondents: Mr Taylor, solicitor

JUDGMENT

The UNANIMOUS JUDGMENT of the Tribunal is that: -

1. The First Respondent accepts that it has made unlawful deductions in respect of the Claimant's accrued holiday pay in breach of section 13 of the Employment Rights Act 1996 and, by consent, is ordered to pay to the Claimant £30 gross in respect of such monies.
2. The First Respondent accepts that it failed to issue the Claimant with a statement of terms and conditions of employment as required by the Employment Rights Act 1996 and, by consent, is ordered to pay to the Claimant the sum of £120 gross pursuant to section 38 of the Employment Act 2002 in respect of such failure.
3. The Claimant was dismissed by the First Respondent in breach of contract without notice and is therefore entitled to damages in respect of the Claimant's entitlement to one week's notice.
4. The Claimant was unlawfully discriminated against by the First and Second Respondents in breach of sections 11, 26 (harassment), 27 (victimisation) and 39 of the Equality Act 2010.

Employment Judge Goraj

As reasons for the Judgment were announced orally at the Hearing written reasons shall not be provided unless they are requested by a party within 14 days of the sending of this Judgment to the parties.

Online publication of judgments and reasons

The Employment Tribunal (ET) is required to maintain a register of all judgments and written reasons. The register must be accessible to the public. It has recently been moved online. All judgments and reasons since February 2017 are now available at: <https://www.gov.uk/employment-tribunal-decisions>

The ET has no power to refuse to place a judgment or reasons on the online register, or to remove a judgment or reasons from the register once they have been placed there. If you consider that these documents should be anonymised in anyway prior to publication, you will need to apply to the ET for an order to that effect under Rule 50 of the ET's Rules of Procedure. Such an application would need to be copied to all other parties for comment and it would be carefully scrutinised by a judge (where appropriate, with panel members) before deciding whether (and to what extent) anonymity should be granted to a party or a witness