



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr E Bah

v

SGUK Ltd t/a Security Guards UK
(in liquidation) (debarred)

Heard at: Watford

On: 18 October 2019

Before: Employment Judge R Lewis

Appearances

For the Claimant: Ms C Hunt, Counsel

For the Respondent: No attendance or representation

JUDGMENT

1. The claimant was unfairly dismissed by the respondent.
2. The claimant was wrongfully dismissed by the respondent.
3. The respondent has made an unlawful deduction from the claimant's pay for the period 12 September to 31 October 2018 inclusive.
4. The respondent has failed to pay the claimant holiday pay for the period of one year before termination of employment.
5. The respondent is ordered to make to the claimant a total of **£26,621.06** made up as follows:
 - 5.1 A basic award for unfair dismissal of £1,315.44 (calculated as £375.84 x 3.5);
 - 5.2 A compensatory award for unfair dismissal of £19,265.20;
 - 5.3 Damages for wrongful dismissal (3 weeks notice pay) of £1,127.52;
 - 5.4 In respect of unlawful deductions, the sum of £2,706.05, calculated as £375.84 x 7.15;
 - 5.5 In respect of arrears of holiday pay, an award of £2,206.85, calculated as £394.08 x 5.6.

Note

6. I add the following information as to calculation.
- 6.1 The effective date of termination of employment was 31 October 2018.
 - 6.2 The claimant's gross and net weekly basic pay up to 1 April 2019 was £375.84.
 - 6.3 For purposes of calculating loss, gross and net weekly basic pay after that date were £394.08.
 - 6.4 The National Minimum Wage rates were £7.83 and £8.21 respectively in the years 2018-19 and 2019-20.
 - 6.5 The calculation of the compensatory award is: £500 for loss of statutory rights; and 47 weeks loss, from expiry of the notice period to date of this hearing, calculated as to £375.84 x 19 and £394.08 x 28, a total of £18765.20.
 - 6.6 The claimant's National Insurance No. is SC404586C and he has received the following benefits:

For the period 7 November 2018 to 8 January 2019 Jobseeker's Allowance totalling £647.47;

For the period 9 January 2019 to 18 October 2019 Employment Support Allowance totalling £2944.89.

The compensatory award is for the period 21 November 2018 to 19 October 2019.

The monetary award is £19,265.20 and the prescribed element is £18,765.20.

The amount by which the monetary award exceeds the prescribed element is £500.00.

Employment Judge R Lewis

Date:22/10/19.....

Sent to the parties on:

.....
For the Tribunal Office

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.