



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr. A El Imam Elalaoui

v

Mrs. Naima El-Alaoui

Heard at: London Central (by video)

On: 1 and 2 March 2021

Before: Employment Judge P Klimov, sitting alone

Representation

For the Claimant: Ms E. McIlveen (of Counsel)

For the Respondent: Mr A. Ohringer (of Counsel)

This has been a remote hearing which was not objected to by the parties. The form of remote hearing was by Cloud Video Platform (CVP). A face to face hearing was not held because it was not practicable due to the Coronavirus pandemic restrictions and all issues could be determined in a remote hearing.

JUDGMENT

1. The respondent was in breach of contract by dismissing the claimant without notice and is ordered to pay the claimant the net sum of **£1,530.24**, being damages for breach of contract.
2. The claimant was unfairly dismissed by the respondent.
3. The respondent has unreasonably failed to comply the ACAS Code of Practice on Disciplinary and Grievance Procedures and **15%** increase shall be applied to the compensatory award.
4. The respondent is ordered to pay the claimant compensation for unfair dismissal of **£7,025.69** comprising:

4.1 **Basic Award:** 1.5 (age factor) x 4 (years' service) x £507.69
(gross weekly pay) = **£3,046.14**

4.2 **Compensatory Award:**

Financial Loss (12 weeks from the ETD @ £382.56 (net weekly pay)) - **£4,590.72**

- Loss of statutory rights: **£400**

Sub-Total: **£4,990.72.**

Less:

- Compensation awarded for wrongful dismissal - **£1,530.24**

Total loss: £4,990.72- £1,530.24= £3,460.48.

Adjustments:

Increase of compensatory award by 15% due to the respondent's unreasonable failure to comply with the ACAS Code of Practice

(£3,460.48) x 15% = £519.07

Total Compensatory Award = (£3,460.48 + £519.07) = £3,979.55

Employment Judge P Klimov
London Central Region

Dated : 2 March 2021

Sent to the parties on:

03/03/2021

For the Tribunals Office

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant (s) and respondent(s) in a case.