



EMPLOYMENT TRIBUNALS

Claimant: Mr A U Sheikh
Respondent: PJ Upminster Ltd t/a Papa John's Pizza
Heard at: East London Hearing Centre (by telephone)
On: 8 March 2021
Before: Employment Judge Gardiner

Representation

Claimant: Mrs Sheikh, Claimant's wife
Respondent: Ms A Asch-D'Souza, paralegal
Interpreter: Mr Yasheb Tamanna (Urdu)

This was a remote hearing which was conducted by telephone as it was not possible to conduct the hearing in person due to current Government restrictions.

JUDGMENT

The judgment of the Tribunal is that:-

1. The Claimant's claim for unauthorised deductions from wages succeeds. The Claimant is awarded the sum of **£2,180.37 gross** calculated as follows:
 - a. 0.5 week SSP = £47.93
 - b. 6 weeks furlough pay = £2132.44
 - i. 2 wks @ £341.54 = £683.08
 - ii. 4 wks @ £362.34 = £1449.36;
2. The Claimant's claim for notice pay succeeds. The Claimant is awarded the sum of **£452.92 gross**, being one week's gross pay.

3. The Claimant's claim for accrued holiday pay succeeds. The Claimant is awarded the sum of **£1,247.13 gross**, being 11.65 days at £107.05 per day.
4. The Claimant was not provided with a statement of employment particulars as required by Section 1 Employment Rights Act 1996. The Claimant is awarded **£905.84**, under Section 38 Employment Act 2002, being two weeks' pay.
5. The total award to the Claimant under this Judgment is therefore £4,786.26 (£2,180.37 + £452.92 + £1,247.13 + £905.94). The Tribunal was told that the Respondent has already paid the Claimant the sum of £2633.34, leaving a balance to pay of **£2,152.92**.

Employment Judge Gardiner
Date: 10 March 2021