



EMPLOYMENT TRIBUNALS

Claimant: Mr T Hussain
Respondent: Dial – A – Spare Limited
Heard at: East London Hearing Centre
On: 3, 4 June 2021 and 14 July 2021
Before: Employment Judge Burgher

Appearances

For the Claimant: M B Malik (Counsel)
For the Respondent: Ms A Rokad (Counsel)
Udru Interpreters: Mr Y Tamanna and Mr A Faroud

JUDGMENT

- 1 The Claimant was unfairly dismissed by the Respondent.
- 2 The Claimant's claim for wrongful dismissal succeeds.
- 3 The Claimant's claim for unpaid holiday pay is dismissed on withdrawal.
- 4 The Respondent failed to provide the Claimant with a written statements of particulars of employment.
- 5 The Respondent is ordered to pay the Claimant the total amount of £6662.00 consisting of following sums:

5.1	Basic award for unfair dismissal	£2844.00 (12 x £237)
5.2	Compensatory award for unfair dismissal (loss of statutory rights)	£500.00
5.3	12 weeks notice for wrongful dismissal	£2844.00

- | | | |
|-----|--|---------|
| 5.4 | Failure to provide written particulars | £474.00 |
|-----|--|---------|
- 6 The recoupment provisions may apply.
- | | | |
|-----|---|----------|
| 6.1 | Grand total | £6662.00 |
| 6.2 | Prescribed element | £974.00 |
| 6.3 | Excess grand total over prescribed element | £5688.00 |
| 6.4 | Period of prescribed element 31 January 2020 to 14 July 2021. | |
- 7 The Respondent's application for costs under rule 76 of the Employment Tribunal rules is refused.

Employment Judge Burgher

14 July 2021