



EMPLOYMENT TRIBUNALS

Claimant: Mr M Najeeb
Respondent: Food Containers Manufacturing UK Ltd
Heard at: East London Hearing Centre
On: 2 and 3 September 2021
Before: Employment Judge Goodrich
Members: Ms G McLaughlin
Mr ML Wood

Representation

Claimant: Mr S Najeeb (son of Claimant)
Respondent: Did not appear, nor was represented

JUDGMENT

The judgment of the Tribunal is that:

1 The complaint of unlawful deductions from wages/wages deducted in breach of contract succeeds. The Respondent is ordered to pay the Claimant £2097.60.

2 The complaint of holiday pay pursuant to the Working Time Regulations 1998 succeeds. The Respondent is ordered to pay the Claimant £1402.18.

3 The complaint of disability discrimination fails and is dismissed.

4 The Claimant was unfairly dismissed. The Respondent is ordered to pay compensation as follows:

Basic Award: £8894.40.

Compensatory Award: £3537.36.

The Recoupment Regulations apply to the compensatory award for unfair dismissal.

The prescribed element is £3537.36. The period of the prescribed element is 1 October 2020 to 24 December 2020. The amount by which the monetary award exceeds the prescribed element is £8894.40.

5 The Respondent failed to comply with a relevant code of practice and the award is increased by 15 percent. The Respondent is ordered to pay the Claimant £2389.69.

**Employment Judge Goodrich
Date: 3 September 2021**