



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Salim

**Respondent:** I Quote Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The unfair dismissal complaint under section 104 of the Employment Rights Act 1996 is well founded. The claimant was unfairly dismissed because he asserted a statutory right.
2. Section 119 of the Employment Rights Act 1996 requires a claimant to have not less than one complete year of service to make an unfair dismissal complaint therefore no basic award is made. The respondent is ordered to pay the claimant a compensatory award of **£9781.84** which includes the following
  - (a) £450 in respect of loss of statutory rights.
  - (b) No compensation is awarded for lost earnings in the first four weeks after dismissal as an award is made in relation to notice pay in paragraph 4.
  - (c) For the period from 17 May 2021 – 16 December 2021 (seven months) the award for loss of earnings is £9331.84.
3. The recoupment regulations do not apply as no recoupable state benefits were received.
4. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the sum of **£2500.00**. This is a net figure but has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on this amount as “post employment notice pay”.
5. The respondent has failed to pay the claimant’s holiday entitlement and is ordered to pay the claimant the gross sum of **£750.00** from which tax and national insurance should be deducted.
6. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£1860.00** from which tax and national insurance should be deducted.
7. No award is made for compensation for stress and anxiety as the Tribunal has no power to make any such award in this case.

8. The total amount payable by the respondent to the claimant is as follows:

Unfair Dismissal	£ 9,781.84
Notice Pay	£ 2,500.00
Holiday pay	£ 750.00
Deductions from pay	<u>£ 1,860.00</u>
<b>Total</b>	<b>£14,891.84</b>

Regional Employment Judge Franey  
10 January 2022

JUDGMENT SENT TO THE PARTIES ON

13 January 2022  
AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2407352/2021**

Name of case: **Mr S Salim** v **I Quote Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 13 January 2022

"the calculation day" is: 14 January 2022

"the stipulated rate of interest" is: **8%**

Mr S Artingstall  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.