



EMPLOYMENT TRIBUNALS

Claimant:
Mr W Qureshi

Respondent:
Lodge Service UK Limited

v

Heard at: Reading

On: 13,14, 15 and 16
December 2021

Before: Employment Judge Hawksworth
Mr G Edwards
Mr A Kapur

Appearances

For the claimant: Ms S Idelbi (counsel)

For the respondents: Ms S Harkins (advocate)

JUDGMENT

It is the unanimous decision of the tribunal that:

1. The claimant was dismissed by the respondent on 25 July 2019 with effect from 28 July 2019.
2. The complaints of age discrimination in respect of the failure to carry out a selection process for an available role and not offering the available role to the claimant were conceded by the respondent and they succeed.
3. The complaint of age discrimination in respect of the dismissal of the claimant is well founded and succeeds.
4. The claimant was unfairly dismissed and was dismissed in breach of contract in respect of notice pay.
5. The claimant's claim for pay for accrued but untaken holiday on termination of employment succeeds.

6. The respondent is ordered to pay the claimant the sum of £112,562.37 comprising:
 - a. a basic award of £10,246.08
 - b. financial losses of £47,209.50 plus interest of £4,604.54
 - c. an award for injury to feelings of £22,000 plus interest of £4,296.33
 - d. grossing up for tax of £24,205.92
7. The respondent is also ordered to pay the claimant the sum of £455.40 in respect of accrued but untaken holiday¹.
8. The claimant's application for costs succeeds. The respondent is ordered to pay £5,200 towards the claimant's costs.

Employment Judge Hawksworth

Date: 16 December 2021

Sent to the parties on: 14/1/2022

N Gotecha

For the Tribunal Office

Note:

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:

All 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.

¹ A separate award in respect of holiday pay has been included under rule 69 (correction of accidental slips) because the figure for the total award given in the oral judgment did not include the holiday pay award.