



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mr Y Isuf

**Respondent**  
Lux Distribution Ltd

AND

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Midlands West **ON** 7 and 8 July 2022

**EMPLOYMENT JUDGE** Harding

### Representation

**For the Claimant:** Mr Ilangaratna, Counsel

**For the Respondent:** Mr Tayler, Solicitor

## JUDGMENT

**The judgment of the tribunal is that:**

- 1 The claimant's unfair dismissal claim succeeds.
- 2 The claimant caused or contributed to his dismissal by his culpable and blameworthy behaviour. It is just and equitable to reduce the basic and compensatory awards by 100%.
- 3 There is a 90% chance that the respondent would have fairly dismissed the claimant by 8 October 2021.

Note: written reasons will not be provided unless requested at the Hearing itself or in writing within 14 days of the sending of the written record of the decision, Rule 62(3).

4 It is declared that the respondent failed to provide the claimant with a written itemised pay statement in breach of its obligations under Section 8 of the Employment Rights Act 1996.

5 The claimant's wrongful dismissal claim fails and is dismissed.

6 The claimant is not entitled to an award under Section 38 of the Employment Act 2002.

7 By consent the claims for an unlawful deduction from wages and unpaid holiday pay on termination of employment are dismissed on withdrawal by the claimant.

Employment Judge Harding  
Dated: 8 July 2022