



EMPLOYMENT TRIBUNALS

Claimant: Mr Z Farooqi

Respondent: East London Bus & Coach Company Limited

Heard at: East London Hearing Centre

On: 30 June 2022

Before: Employment Judge Gardiner

Members: Mrs G Forrest
Ms R Hewitt

Representation

Claimant: In person

Respondent: Mrs Grace Holden, counsel

REMEDY JUDGMENT

The judgment of the Tribunal is that:-

1. The Claimant is ordered to be reinstated to his previous role with effect from 1 July 2022, in accordance with Section 114 Employment Rights Act 1996.
2. The role to which the Claimant is to be reinstated is the role of Bus Driver for East London Bus & Coach Company Limited, based at the West Ham Garage, on pay grade LJ43.
3. The remuneration that the Claimant is to receive in this role from 1 July 2022 is a basic wage of £15.86 per hour gross for working a 38-hour week. This is equivalent to £31,339.36 pa gross. The Claimant is also entitled to be offered overtime, when available, in the same way as other Bus Drivers based at the West Ham Garage.
4. The Claimant is awarded the sum of £13,668.59 gross which the Claimant might reasonably have expected to have received but for the dismissal:

- a. 16 days half-pay by way of occupational sick pay at £ [] per day
(based on £595.06 per week gross) = $16 \times 0.5 \times 595.06/5 = £952.10$;
 - b. Statutory sick pay – 103 days at £95.85 per day = £9,872.53
 - c. Salary from 24 March 2022 to 30 June 2022 – $14 \times £15.86 \times 38 = £8,437.52$.
 - d. Credit must be given for the gross pay in lieu of notice of £2,975.31 gross and the gross payment in lieu of holiday of £2,618.27.
 - e. Total is therefore $£952.10 + £9,872.53 + £8,437.52 - £2,975.31 - £2,618.27 = £13,668.59$ gross.
5. If the Claimant chooses to make pension contributions in respect of past pay, the Respondent is to make the appropriate level of corresponding employer pension contributions.
6. The Claimant's accrued holiday entitlement as at the date of reinstatement is 48 days leave, excluding Bank Holidays.

Employment Judge Gardiner
Dated: 7 September 2022