



EMPLOYMENT TRIBUNALS

Claimant: Mr Q Hussain

Respondent: Ibco Limited

Heard at: Manchester Employment
Tribunal

On: 2 and 3 March 2023

Before: Employment Judge Cookson
Mrs A Booth
Mrs C Clover

REPRESENTATION:

Claimant: Mr Duffield

Respondent: Mr Starcevic (Counsel)

REMEDY JUDGMENT

It is the unanimous decision of the Employment Tribunal that the following should be awarded as compensation to the claimant:

1. The respondent is ordered to pay the claimant the sum of £37,003.42 which is calculated as follows:
 - a. Compensatory award for unfair dismissal in respect loss of statutory rights £770
 - b. Injury to feelings in respect of discrimination during employment (under s20/21 of the Equality Act – failure to make reasonable adjustments and harassment and in respect of acts of victimisation) £12,000
 - c. Interest on that award @8% for 948 days £2,493.37
 - d. Injury to feelings in respect of discrimination on termination of employment by way of victimisation £18,000
 - e. Interest on that award @8% for 948 days £3,740.05
2. The above sums are now payable and must be made to the claimant within 28 days of the date of this judgment.

Employment Judge Cookson

3 March 2023

JUDGMENT SENT TO THE PARTIES ON
14 March 2023

FOR THE TRIBUNAL OFFICE

Notes

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

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.

**IN THE EMPLOYMENT TRIBUNALS
CASE NO: 2415342/2020**

BETWEEN

**Hussain
AND
Ibco**

Calculation of award

1. Details

Date of birth of claimant	01/08/1990
Date started employment	29/07/2014
Effective Date of Termination	21/08/2020
Period of continuous service (years)	6
Age at Effective Date of Termination	30
Date new equivalent job started or expected to start	21/08/2020
Remedy hearing date	02/03/2023
Date by which employer should no longer be liable	21/08/2020
Statutory notice period (weeks)	6
Net weekly pay at EDT	320.96
Gross weekly pay at EDT	384.61
Gross annual pay at EDT	20,000.00

2. Basic award

Basic award	2,307.66
Number of qualifying weeks (6) x Gross weekly pay (384.61)	
Less redundancy pay already awarded (total amount awarded 2,307.69)	-2,307.66

Total basic award **0.00**

3. Compensatory award (immediate loss)

Loss of net earnings	0.00
Number of weeks (0) x Net weekly pay (320.96)	
Plus loss of statutory rights	770.00

Total compensation (immediate loss) **770.00**

4. Adjustments to total compensatory award

Compensatory award before adjustments **770.00**

Total adjustments to the compensatory award **0.00**

Compensatory award after adjustments	770.00
5. Non financial losses	
Injury to feelings in respect of discrimination during employment (and therefore falling outside s401 and 403 ITEPA ¹)	12,000.00
Plus interest @ 8% for 948 days	2493.37
Injury to feelings in respect of discrimination on termination of employment	18,000.00
Plus interest @ 8% for 948 days	3,740.05
Total non-financial award	36,233.42
6. Summary totals	
Basic award	0.00
Compensation award including statutory rights	770.00
Non-financial loss	36,233.42
Total	37,003.42
7 Grossing up	
Tax free allowance (£30,000 - any redundancy pay)	27,692.31
Basic + additional awards	0.00
Balance of tax free allowance	27,385.74
Compensatory award + injury to feelings on termination + wrongful dismissal	22,510.05
Injury to feelings during employment	14,493.37
Figure to be grossed up	0.00

¹ Income Tax (Earnings and Pensions) Act 2003



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2415342/2020**

Name of case: **Mr Q S Hussain** v **Ibco Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 14 March 2023

the calculation day in this case is: 15 March 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.