



# EMPLOYMENT TRIBUNALS

## Claimant

## Respondent

Miss Z Dubuisson

v

(1) Skins Laser Clinic Ltd  
(2) Mr Mohammed Riaz  
(3) Mr Mohammed Hadder Rashid

**Heard at:** Watford, in person

**On:** 15 August 2023

**Before:** Employment Judge Hyams, sitting alone

## Representation:

**For the claimant:** In person

**For the respondent:** Not present and not represented

## REMEDY JUDGMENT

- 1 The first respondent failed to pay the claimant wages for 16 days of work done and holiday taken in January 2022. The sum payable (under section 24 of the Employment Rights Act 1996 (“ERA 1996”)) in that regard is £637.24 gross, i.e. before the deduction of income tax and national insurance contributions under the Income Tax (Pay As You Earn) Regulations 2003.
- 2 The claimant is entitled to a basic award within the meaning of section 119 of the ERA 1996 in the sum of £2,787.90. That sum is payable by the first respondent.
- 3 The claimant is entitled to 2 weeks’ pay under section 38 of the Employment Act 2002 because at the time of making her claims to this tribunal, the claimant had not been given by the first respondent an up-to-date statement of her terms and conditions such as to satisfy the requirements of section 4 of the ERA 1996. The sum payable by the first respondent in that regard is £557.58.

- 4 The claimant is entitled to the sum of £8,642.59 by way of compensation (1) within the meaning of section 123 of the ERA 1996 for her unfair dismissal and (2) within the meaning of section 124(2)(b) of the Equality Act 2010 (“EqA 2010”) in respect of loss of earnings. The first respondent is responsible for meeting the liability under section 123 of the ERA 1996 and all of the respondents are liable (jointly and severally; any liability stated below of the respondents is also joint and several) to pay the sum payable under section 124(2)(b) of the EqA 2010. If the award made under section 123 of the ERA 1996 is not paid by the first respondent, then the sum payable under section 124(2)(b) of the EqA 2010 will be reduced by the total of any state benefits which the claimant received during the period from 17 January 2022 to 21 August 2022 inclusive.
- 5 The claimant is entitled by reason of the Employment Tribunal (Interest on Awards in Discrimination Cases) Regulations 1996, SI 1996/2803, to interest on the award made under section 124(2)(b) of the EqA 2010 stated in paragraph 4 above. That interest is in the sum of £545.55. That sum is payable by all of the respondents.
- 6 The claimant is entitled from all three respondents to £5,500 by way of compensation for injury to her feelings within the meaning of section 124(2)(b) of the EqA 2010.
- 7 The claimant is entitled by reason of the Employment Tribunal (Interest on Awards in Discrimination Cases) Regulations 1996 to interest on the award made under section 124(2)(b) of the EqA 2010 stated in paragraph 6 above in the sum of £685.91. That sum is payable by all of the respondents.
- 8 The Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996/2349, apply to the award made under section 123 of the ERA 1996. The monetary award for that purpose made to the claimant is £19,356.77. The prescribed element is £8,642.59. The dates of the period to which the prescribed element is attributable are 17 January 2022 to 21 August 2022. The monetary award exceeds the prescribed element by £10,714.18.

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Employment Judge Hyams

Date: 17 August 2023

Sent to the parties on: 22 September 2023

For Secretary of the Tribunals

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.

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