



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss S Ghafoori

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

JUDGMENT

- 1 The first respondent failed to pay the claimant and is therefore required to pay her unpaid wages for 142 hours of work done in December 2021 and up to 23 January 2022 at the rate of £10.50 per hour. That is a total of £1,491 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 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 sections 1 and 4 of the ERA 1996. The sum payable by the first respondent in that regard is £618.60.
- 3 The claimant is entitled to compensation within the meaning of section 124(2)(b) of the Equality Act 2010 ("EqA 2010") in respect of loss of earnings from 24 January 2022 to 22 August 2022 inclusive. That compensation is such sum as the claimant would have received after the deduction of income tax and national insurance contributions from the gross sum of £9,408. All three

respondents are liable (jointly and severally; any liability stated below of the respondents is also joint and several) to pay that sum.

- 4 The claimant is entitled to £6,000 by way of compensation for injury to her feelings within the meaning of section 124(2)(b) of the EqA 2010. All three respondents are liable to pay that sum.
- 5 Applying section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992, because the respondents failed to address the claimant's grievance in any way, thereby failing to comply with the ACAS code of practice concerning the addressing of grievances, the sums payable under paragraphs 1, 3 and 4 above (which on the basis of current information are in total £16,899) are increased by 25%. That increase is in total £4,224.75.
- 6 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 3 above in the sum of £586.65. That sum is payable by all of the respondents.
- 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 4 above in the sum of £748.27. That sum is payable by all of the respondents.

Employment Judge Hyams

Date: 17 August 2023

Sent to the parties on:

22 September 2023

For Secretary of the Tribunals

Notes

Case Number: 3305388/2022

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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