



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr N Dahbi  
**Respondent:** Bardwood Support Services Limited  
**Heard at:** East London Hearing Centre  
**On:** 19 October 2023  
**Before:** Employment Judge Volkmer

## Representation

**Claimant:** in person  
**Respondent:** Mr Rajgor (Director) of the Respondent

# JUDGMENT

1. The complaint in respect of holiday pay is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages by failing to pay the Claimant for holidays accrued but not taken on the date the Claimant's employment ended.
2. The Respondent shall pay the Claimant **£388.86**. The Claimant is responsible for paying any tax or National Insurance.
3. The Respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the Claimant by 25 % in the sum of **£97.22** accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. When the proceedings were begun the Respondent was in breach of its duty to provide the Claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is not just and equitable to make an award of an amount equal to four

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weeks' gross pay. In accordance with section 38 Employment Act 2002 the Respondent shall therefore pay the Claimant **£612.26**.

**Employment Judge Volkmer**

**19 October 2023**