



EMPLOYMENT TRIBUNALS

Claimant: Mr A Ali

Respondent: Lea Interchange Bus Company Ltd.

Heard at: East London Hearing Centre (by CVP)

On: 24, 25 26 and 29 January 2024 and 1 March 2024

Before: Employment Judge C Lewis

Members: Mr J Webb
Mr M Wood

Representation

Claimant: Ms M Bouffe Counsel on 23-26 January 2024]
Ms A Ali - pupil barrister on 1 March 2024

Respondent: Mr C Ludlow - Counsel

JUDGMENT

The unanimous decision of the Employment Tribunal is that:

1. The Claim for unlawful deduction from wages contrary to s 13 of the Employment Rights Act 1996 in respect of pay for 19 July 2022 fails and is dismissed.
2. The Claimant's complaint of having been subject to a detriment for performing or proposing to perform functions as a health and safety representative pursuant to sections 44(1)(b) ERA is well-founded in respect of being marked absent on 19 July 2022.
3. The Claimant's complaint that he was unreasonably refused time off for carrying out trade union activities pursuant to sections 168, 169, and 170 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded in respect of 3 August 2022.

REMEDY

4. The Claimant is entitled to the declaration above and is awarded the following compensation in respect of the infringement of Employment Rights Act 1996 s 44(1) (b)
 - i. ½ day's pay= £83.00
 - ii. Injury to feelings in the sum of £5000
5. The Claimant is entitled to the declaration above and is awarded 2 days' pay in respect of the infringement of TULR (C) A 1992: 2 x £166 = £332.00

Employment Judge C Lewis
Dated: 1 March 2024