



EMPLOYMENT TRIBUNALS

Claimant: Hafiz Qari Mohammad Farooq

Respondents: (1) Madina Masjid (Limited Company and Registered Charity)
(2) Rasib Hussain
(3) Mohammad Yaseen
(4) Asif Khan
(5) Mohammed Shafa Yaseen
(6) Mohammed Shafiq
(7) Muhammad Afzal
(8) Kamran Malik

AT A HEARING

Heard at: Leeds **On:** 15th, 16th, 17th, 18th, 19th, 22nd, 23rd, 24th, 25th &
26th April 2024

Before: Employment Judge Lancaster
Members: PC Langman
G Corbett

Representation

Claimant: Mr A Lawson, counsel
Respondents: (1) and (3) to (8) Mr Y Lunat
(2) Did not attend and not represented

JUDGMENT

1. The claims of direct discrimination, indirect discrimination and harassment are dismissed on withdrawal.
2. The Claimant was wrongfully dismissed upon 2 weeks' notice rather than the minimum 6 weeks' notice to which he was entitled by statute and the First Respondent is ordered to pay damages in the sum of 4 weeks' pay at £285.00 gross per week, £1140.00
3. It is declared that the Claimant was unfairly dismissed by the First Respondent.

Cases: 1805538/2022 &
1804144/2023

4. The Claimant is entitled to a basic award for unfair dismissal to be calculated on the basis of 7 year's continuous employment from 1st August 2015 to 1st August 2022 at a week's pay of £285.00.
5. Any compensatory award for unfair dismissal will be determined at a further remedy hearing as necessary.
6. The First Respondent has made a series of unauthorised deductions from the Claimant's wages by not paying him for 30 hours per week unmeasured work at the rate of the National Minimum Wage then in force during the period from 2 years before the issue of the claim on 10th October 2022 until the date of termination on 1st August 2022.
7. The amount of these unauthorised deductions having set off the remuneration actually received, £800.00 per month (calculated therefore at £184.62 per week), will be determined at a further remedy hearing if not agreed.
8. The claim in the alternative for breach of contract in respect of the non-payment of the National Minimum Wage rate is dismissed.
9. The claims of victimisation are dismissed.
10. Further remedy is adjourned to a date to be fixed, following an update from the parties to be received no later than 24th May 2024.

Philip Lancaster

EMPLOYMENT JUDGE LANCASTER

DATE 26th April 2024

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless 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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Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>