



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J O'Reilly  
**Respondent:** Mr A Katcher trading as Holly Molly Kebabs  
**Heard at:** By Video On 15 April 2024  
**Before:** Employment Judge R F Powell

**Representation:**

**Claimant:** In person  
**Respondent:** Mr Henry, legal consultant (observing)

## JUDGMENT

The Judgment of the Employment Tribunal is:

1. The complaint of unauthorised deductions from wages, in the sum of £2,229.50, with respect to accrued holiday pay is well-founded and succeeds.
2. The claim of unfair dismissal is well founded and succeeds.
3. The claimant is entitled to a basic award in the sum of £418.56.
4. The claimant is entitled to compensation for his lose consequent to his unfair dismissal in the sum of £2,399.46.
5. The total award in respect of both claims is £4,628.96.
6. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 with respect to both claims and it is just and equitable to increase the compensatory award payable to the claimant by 20% in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992, in the sum of £925.79
7. The respondent shall pay the claimant compensation in the gross sum of £5,554 .75

Employment Judge R F Powell  
Dated: 15<sup>th</sup> April 2024

Judgment sent to the parties on 22 April 2024

For the Tribunal Mr N Roche

**NOTES:**

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.

The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply in this case.