



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

v

Mr A Ali

Asda Store Limited

**Heard at:** Watford Employment Tribunal (in person)

**On:** 10 to 13 June 2024

**Before:** Employment Judge French  
Mr D Bean  
Mr W Dykes

## **Appearances**

**For the Claimant:** In person

**For the Respondent:** Ms S Harty, Counsel

## **JUDGMENT**

1. The complaint of direct race and religion discrimination concerning an altercation on 3 April 2022, was not presented within the applicable time limit. It is not just and equitable to extend the time limit. The claim is therefore dismissed.
2. The complaint of direct race and religion discrimination is not well-founded and is dismissed.
3. The complaint of harassment related to race and age is not well-founded and is dismissed.
4. The complaint of breach of contract in relation to notice pay is not well-founded and is dismissed.
5. The complaint in respect of holiday pay is well-founded. The respondent was in breach of contract in failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
6. The total amount for accrued holidays is £937.36. The claimant was overpaid his salary in December 2022 and this amount is offset against the overpayment. No further payment is due from the respondent.

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Employment Judge French

Date: 14 June 2024

Sent to the parties on: 01/08/2024

For the Tribunal Office

Note

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.

**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/>