



EMPLOYMENT TRIBUNALS

Claimant: Ms Iqra Janjua

Respondent: The Marigold Facilities Management Limited

Heard: Birmingham (via CVP) On: 17th and 18th of July 2024

Before: Employment Judge Codd

Appearances

For the Claimant: Ms Iqra Janjua (in person)

For the Respondent: Mr B Hussain (lay representative)

JUDGMENT

Wages

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 1st of February 2022 to 6th of November 2022 (excluding the week of 4th of July 2022, which has been subtracted from the sums set out below).
2. The respondent shall pay the claimant **£3857.23**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.

Holiday Pay

3. 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.
4. The respondent shall pay the claimant **£1,165.65** as damages for breach of contract. This is the net value to the claimant of the amount due.

Notice Pay

5. The complaint of breach of contract in relation to notice pay is well-founded.
6. The respondent shall pay the claimant **£570** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Unfair Dismissal

7. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
8. 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 accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
9. The respondent shall pay the claimant the following sums:
 - a. A basic award of **£570**
 - b. A compensatory award (inclusive of the uplift set out in paragraph 8 above and compensation for loss of statutory rights) of **£4,976.35**.

Employment Judge Codd

18th July 2024