



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Balaban

**Respondent:** Axis Europe Plc

**Heard at:** East London Hearing Centre

**On:** 30-31 January &  
1 February 2018

**Before:** Employment Judge Ferguson

**Members:** Ms J Houzer  
Mrs G A Everett

## Representation

**Claimant:** Ms I Egan (Counsel)

**Respondent:** Ms N Partos (Counsel)

# JUDGMENT

It is the unanimous judgment of the Tribunal that:

1. The Claimant's complaint of race discrimination is dismissed
2. The Claimant's complaints of unauthorised deductions from wages and failure to allow rest breaks are dismissed upon withdrawal
3. The Claimant's complaint of unfair dismissal succeeds
4. The basic and compensatory awards for unfair dismissal shall be reduced by 40% on account of C's conduct.
5. The compensatory award shall be increased by 10% pursuant to s.207A(2) of the Trade Union & Labour Relations (Consolidation) Act 1992.
6. The Respondent shall pay the Claimant compensation in the total sum of £4,395.10. The sums awarded were agreed per the attached Schedule.

## Recoupment

Prescribed period	01/04/2017 to 30/06/2017
Total award	£4,395.10
Prescribed element	£3,268.89
Balance	£1,126.21

Employment Judge Ferguson

1 February 2018