



EMPLOYMENT TRIBUNALS

Claimants: Mr MD Sumsul Talukder
Mr Gerard Hughes

Respondent: ISS Facility Services Ltd

Heard at: East London Hearing Centre (by Cloud Video Platform)

On: 25 & 26 February 2021

Before: Employment Judge S Knight

Representation

Claimants: Alex Jaiteh

Respondent: Bianca Venkata (Outer Temple Chambers)

JUDGMENT

1. The Respondent unfairly dismissed the Claimants.
2. The Respondent wrongfully dismissed the Claimants.
3. The Respondent was in breach of contract and made unauthorised deductions from wages by failing to pay the First Claimant at a rate of £14.23 per hour for at least 48 hours per week.
4. The Respondent was not in breach of contract and did not make unauthorised deductions from wages by failing to offer the Second Claimant 60 hours of work per week.
5. The Claimants' claims in respect of failures to provide written statements of changes to particulars of employment are struck out.

Case Numbers: 3202625/2020 & 3212856/2020 V

6. By 19 March 2021 the Claimants are to serve on the Respondent and file with the Tribunal new Schedules of Loss.
7. By 9 April 2021 the Parties are to serve on each other and file with the Tribunal any further evidence relevant to remedy in their possession, including: any witness statements; documents which show the detail of the Claimants' entire income and benefits received since their dismissal; documents which show how the Claimants have mitigated their losses; and any evidence relevant to anticipated retirement dates.
8. The case will be listed for a hearing to determine remedy on 22 April 2021 with a time estimate of 3 hours.

**Employment Judge S Knight
Date 26 February 2021**