



EMPLOYMENT TRIBUNALS

Claimant: Ms S Akhtar

Respondent: Syed Solicitors

Heard at: Birmingham ET (via CVP)

On: 6 and 7 June 2022

Before: Employment Judge Boyle

Representation

Claimant: Ms Danielle Worden – Legal Officer (United Voices of the World)

Respondent: Ms Anna Johns (Counsel)

JUDGMENT

1. The claim for automatic unfair dismissal by reason of the claimant taking part in trade activities or for making use of trade union services is not well-founded and is dismissed.
2. The respondent made an unauthorised deduction from wages by failing to pay the claimant correct salary during the course of her employment. This is based on the claimant working for 10 hours per week at an agreed rate of £8.21 (being the National Minimum Wage at that time). The respondent is ordered to pay the claimant the sum of £1118.19 being the total gross sum deducted.
3. The claimant was employed by the respondent under a fixed term contract of apprenticeship for the period from 1 April 2019 to 28 December 2022. The respondent was in breach of contract by dismissing the claimant before the end of her fixed term contract. As the claimant has fully mitigated her losses since her employment was terminated no award of damages is made.
4. The respondent made an unauthorised deduction from wages by failing to pay the claimant in lieu of accrued but untaken annual leave on 25. 8 hours on termination of employment and is ordered to pay to the claimant the sum of £211.82 being the gross sum due.

5. The respondent is ordered to pay to the claimant additional compensation of £164.20 pursuant to section 38 Employment Rights Act 2002 for failure to provide the claimant with a written statement of employment particulars.

Employment Judge Boyle

7 June 2022

Notes

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.

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