



EMPLOYMENT TRIBUNALS

Claimant: Mr T Mahmood

Respondent: Amora Linen Services Ltd

Heard at: Birmingham (by CVP)

On: 20 November 2024

Before: Employment Judge Flood

REPRESENTATION:

Claimant: In person assisted by Mr H Tariq (son and lay representative)

Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is as follows:

1. The complaint of unauthorised deductions from pay contrary to Part II Employment Rights Act 1996 ('ERA') is well-founded. The respondent made an unauthorised deduction from the claimant's pay in respect of the period 1 November to 2 December 2023. The respondent is ordered to pay to the claimant the gross sum of **£1688.40**.
2. The complaint of unfair dismissal under Part X ERA is well-founded. The claimant was unfairly dismissed. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 ('ACAS Code') 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 ('TULRCA'). The respondent is ordered to pay the claimant the following:
 - (a) A basic award in the sum of **£2,430**.
 - (b) A compensatory award in the sum of **£5,463.75**.
3. The complaint of breach of contract in relation to notice pay is well-founded. The respondent is ordered to pay the claimant the sum of **£2,025** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will be taxed upon it as Post Employment Notice Pay and an uplift of 25% has been applied in accordance

with section 207A TULRCA as the respondent unreasonably failed to comply with the ACAS Code.

4. Under section 163 ERA it is determined that the claimant is not entitled to a redundancy payment.
5. The Recoupment Regulations do not apply.

Signed by: Employment Judge Flood

Signed on: 20 November 2024

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

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/>