



EMPLOYMENT TRIBUNALS

Claimant: Mr Jagdeep Singh

Respondent: Rummy Transport Ltd

Heard at: Birmingham (by CVP)

On: 24 and 25 March 2022

Before: Employment Judge Meichen (sitting alone)

Appearances

For the claimant: Mr Uduje, counsel

For the respondent: Miss Kaur, external manager

JUDGMENT

1. The respondent's application for a postponement of the hearing was refused.
2. The claimant's application for strike out of the response was refused.
3. The claimant's claims of failure to pay holiday pay and notice pay are dismissed following withdrawals of those claims by the claimant.
4. The claimant was unfairly dismissed by the respondent.
5. It is not just and equitable to reduce the award payable to the claimant because of any blameworthy conduct by the claimant.
6. There was no percentage chance that the claimant could have been fairly dismissed.
7. The respondent unreasonably failed to comply with the ACAS code and an uplift of 20% will be made to the compensatory award to reflect that.
8. The respondent is ordered to pay the claimant the following:
 - a. A basic award of £2371.15.
This figure was agreed.
 - b. A compensatory award of £2342.20.

This was calculated as follows: 10 weeks loss of net pay (10 x 392.90) minus £1500 earned by the claimant in temporary employment plus 4 months ongoing loss (4 x £52.50) minus £785.76 ex gratia payment received by the claimant as a result of being dismissed plus £98.59 lost employer's pension contributions plus 20% increase for the respondent's failure to follow the ACAS code.

- 9. The respondent is also ordered to pay the claimant £350 for loss of statutory rights.
- 10. The grand total to be paid by the respondent to the claimant is £5063.35.

Employment Judge Meichen

25 March 2022

Sent to the parties on:

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For the Tribunal:

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Reasons for the judgement 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.

