



EMPLOYMENT TRIBUNALS

Claimant: Mr Tasleem Tasab

Respondent: Serene Sleep Group Limited

Heard at: Birmingham (by CVP)

On: 15 January 2024

Before: Employment Judge Flood

REPRESENTATION:

Claimant: In person

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 is well-founded. The respondent made an unauthorised deduction from the claimant's pay in respect of the period 1 May to 12 May 2023. The respondent is ordered to pay to the claimant the gross sum of **£3,076.92** deducted from pay.
2. 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 **£18,461.54** 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.
3. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's pay by failing to pay 11 days holiday pay accrued but untaken as at the date of termination of employment and is ordered to pay the claimant the gross sum of **£3,384.61**.
4. The complaint of unfair dismissal under Part X Employment Rights Act 1996 is well-founded. The claimant was unfairly dismissed. The respondent is ordered to pay the claimant the following:
 - (a) A basic award in the sum of **£11,574**.

- (b) A compensatory award in the sum of **£25,028**.
5. Under section 163 Employment Rights Act 1996 it is determined that the claimant is not entitled to a redundancy payment.
 6. The Recoupment Regulations do not apply.

Employment Judge Flood

15 January 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/>