



EMPLOYMENT TRIBUNALS

Claimant: Miss T Birchall

Respondent: Mr J Cherry (T/A Aintree Coachlines)

Held at: Liverpool

On: 27 February 2017

Before: Employment Judge Holbrook

Representation:

Claimant In person

Respondent In person

JUDGMENT

The judgment of the Tribunal is that –

1. The claim for unfair dismissal succeeds.
2. The respondent is ordered to pay a monetary award of £355.40.
3. In addition, the respondent is ordered to reimburse the claimant in respect of any tribunal fees incurred by her in these proceedings.
4. The recoupment provisions do not apply.
5. The Tribunal calculated the monetary award as follows.
6. No basic award is payable because the claimant has already received an ex gratia payment equal to two weeks' pay.
7. A compensatory award is payable, calculated as:
 - 7.1 £460.80 in respect of loss of earnings for the period between her dismissal and commencement of new employment on 1 August 2016
 - 7.2 Plus £250.00 in respect of the loss of the claimant's statutory rights.

8. Although these figures indicate a compensatory award totalling £710.80, the Tribunal's award must be reduced by 50% to reflect the claimant's contributory fault. The compensatory award is therefore £355.40.

Employment Judge Holbrook

27 February 2017

JUDGMENT SENT TO THE PARTIES ON

3 March 2017

FOR THE TRIBUNAL OFFICE



Case Number: 2404340/2016

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2404340/2016

Name of case(s): Miss T Birchall v Mr J Cherry (T/A Aintree Coachlines)

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 03 March 2017

"the calculation day" is: **04 March 2017**

"the stipulated rate of interest" is: 8%

MISS L HUNTER
For the Employment Tribunal Office