



THE EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Mr S A Lee

AND

A Belco Limited
(In Administration)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: North Shields

On: 2 May 2017

Before: Employment Judge Johnson

Appearances

For the Claimant: In person

For the Respondent: No attendance and no appearance

JUDGMENT ON RECONSIDERATION

Paragraph 4 of the Judgment on Remedy, promulgated on 2 March 2017, shall be amended to read as follows:-

“4 The claimant’s complaint of being automatically unfairly dismissed pursuant to section 100(1)(b) of the Employment Rights Act 1996 is well-founded and succeeds. The claimant is entitled to a minimum basic award in the sum of £5,807. The claimant is entitled to a compensatory award for unfair dismissal in the sum of £37,900”.

REASONS

1 The Tribunal Judgment on Remedy in this case was promulgated on 2 March 2017, following a hearing on 27 February 2017, at which the claimant appeared in person. The claimant’s evidence to the Tribunal on that occasion was that he had complained to the respondent about certain matters relating to health and

safety. The claimant believed (and the Tribunal found) that these amounted to protected disclosures. What the claimant had omitted to inform the Employment Tribunal was that the information contained in those disclosures was given by the claimant in his role as a representative on the respondent's safety committee. Mr Lee today confirmed under oath that the information had been imparted in his capacity as a member of that committee. The Tribunal is satisfied that the principal reason for the claimant's dismissal was because the claimant was performing functions as such a member of that committee. The claimant's dismissal was therefore automatically unfair pursuant to section 100(1)(b) of the Employment Rights Act 1996.

- 2 Because of the principal reason for his dismissal, the claimant is entitled to a minimum basic award pursuant to section 120 of the Employment Rights Act 1996, in the sum of £5,807.
- 3 I order that paragraph 4 of the Judgement on Remedy promulgated on 2 March 2017 be amended to reflect the claimant's entitlement to a minimum basic award.

EMPLOYMENT JUDGE JOHNSON

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON
2 May 2017
JUDGMENT SENT TO THE PARTIES ON
4 May 2017
AND ENTERED IN THE REGISTER
G Palmer
FOR THE TRIBUNAL**