



EMPLOYMENT TRIBUNALS

Claimant: Mr A Langdale

Respondent: Annodata Limited

HELD AT: Manchester

ON: 10 July 2017

BEFORE: Employment Judge Horne

REPRESENTATION:

Claimant: Ms R Jones, counsel

Respondent: Mr T Irving, solicitor

Judgment having been sent to the parties on 8 May 2017 declaring that the claimant had been unfairly constructively dismissed, the tribunal now assesses remedy as follows:

REMEDY JUDGMENT

1. It would be just and equitable to reduce the claimant's compensatory award by 40% to reflect the chance that, had the respondent not fundamentally breached his contract, the claimant would in any event have resigned.
2. It would not be just and equitable to make any further reduction to the claimant's compensatory award on the ground that, had the claimant not resigned, he would have remained on sick leave.
3. The tribunal has no power to adjust the claimant's compensation under section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992 because the claimant did not act unreasonably in omitting to follow the relevant code of practice.
4. The respondent is ordered to pay the claimant a basic award of £8,261.58 and a compensatory award of £13,480.65 making a total award of £21,742.23.
5. The tribunal is satisfied that the requirements of regulation 4 of the Employment Protection (Recoupment of Jobseeker's Allowance etc) Regulations 1996 do not apply.

Employment Judge Horne

Date: 10 July 2017

SENT TO THE PARTIES ON

17 July 2017

FOR THE TRIBUNAL OFFICE

Note – reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date on which this judgment was sent to the parties.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 3347714/2016

Name of case: Mr A Langdale v Annodata Limited

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: 17 July 2017

"the calculation day" is: 18 July 2017

"the stipulated rate of interest" is: 8%

MR S ARTINGSTALL
For the Employment Tribunal Office