



EMPLOYMENT TRIBUNALS

Claimant

Respondents

Mr M Lewis

v DGS Marine Management Services Ltd

Heard at: London Central

On: 27 June 2017

Before: Employment Judge Lewis

Representation

For the Claimant: Ms G Crew, Counsel

For the Respondents: Did not attend

REMEDIES JUDGMENT

1. The claimant is awarded the sum of **£4924.86** having been an unauthorised deduction from his wages, ie unpaid net wages from 1 October 2016 – 22 December 2016.
2. The claimant is awarded **£947** in respect of 12.5 days' holiday pay, net of tax.
3. The claimant is awarded the sum of **£2052.02** for his notice pay claim (£1641.62 + 25% uplift for breach of the ACAS Code on Disciplinary and Grievance Procedures - £410.40).
4. The claimant is awarded for his unfair dismissal a basic award of **£958** and a compensatory award of **£3111.22**, which was calculated as follows:
 - loss of earnings from expiry notice period on 22 January – 25 February 2017 = 5 weeks. (5 x £378.80 = £1894.)
 - loss of healthcare benefits = £94.98.
 - loss of statutory rights = £500
 - 25% ACAS uplift £622.24.

5. The recoupment regulations apply. The prescribed period is 22 January 2017 – 25 February 2017 and the prescribed element is **£2486.22** (£1894 + £94.98 + ACAS uplift on those elements.)
6. The amount by which the compensatory award exceeds the prescribed element is **£625**.
7. The claimant is awarded the sums he paid as tribunal fees by way of costs: **£1200**.

Employment Judge Lewis
27 June 2017

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.