



EMPLOYMENT TRIBUNALS

Claimant: Ms E Zwiernik

Respondent: Joe Browns Ltd

Heard at: Leeds **On:** 12 October 2017

Before: Employment Judge Bright (sitting alone)

Representation

Claimant: Mrs Inkin

Respondent: Mr Maritos

Interpretation: Mrs Cain

JUDGMENT ON REMEDY

1. The respondent shall pay to the claimant the sum of £15,176.86 as compensation for her unfair dismissal. That sum is calculated as set out in the table below.
2. The respondent shall pay to the claimant the sum of £949.36 as damages for breach of contract.
3. The Recoupment Regulations apply as follows:
 - a. Grand total: £15,176.86
 - b. Prescribed element: £10,463.03
 - c. Period of prescribed element: 15.03.16 to 12.10.17
 - d. Excess of grand total over prescribed element: £4,713.83

Table

| | | | |
|---|---|-------------------|-------------------|
| Basic award | 4 weeks x £261.67 x 1.5 | | £1,570 |
| Compensatory award | | | |
| Past loss of wages | 50 weeks x £237.34 | £11,867.00 | |
| | 32 weeks x £237.34 – (32 x £149.99) | £2,795.20 | |
| Working tax credits | 48 weeks x £56.50 | £2,712.00 | |
| Uplift | £17,374.20 x 25% | £4,343.55 | |
| Less notice pay | | (£949.36) | |
| Total past loss | | £20,768.39 | |
| | | | |
| Future loss | 52 weeks x £237.34 – (52 x £149.00) | £4,542.20 | |
| Loss of statutory rights | | £450 | |
| Uplift | £4,992.20 x 25% | £1,248.05 | |
| Total future loss | | £6,240.25 | |
| Total compensatory award | | £27,008.64 | |
| Statutory cap s124(1ZA) ERA 1996 | 52 x £261.67 | | £13,606.84 |
| | | | |
| Calculation of prescribed element | £20,768.39 x £13,606.84 divided by £27,008.64 | £10,463.03 | |

Employment Judge Bright

Date: 13 October 2017