



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Ms M Mendes**

**v**

**Dr Larry Levin & Dr Jeffrey Sherer  
T/A The Dental Design Studio**

**Heard at:** Bury St Edmunds

**On:** 6 November 2017

**Before:** Employment Judge Laidler

## **Appearances**

**For the Claimant:** Mrs J May, Solicitor.

**For the Respondent:** Mr M Cameron, Consultant.

## **JUDGMENT**

1. The claimant was unfairly dismissed by reason of capability.
2. The respondent to pay the claimant the sum of £4539.37 as compensation for that dismissal calculated as follows:

*Basic award*

2 weeks @ £320 per week

£640

*Compensatory award:*

No loss of pay.

*Increased costs of travelling to new employment*

*Parking:*

From 3 March to 31 July 2017

£12 per day for 3 days a week = £36 per week

21 weeks @ £36 per week

£757.00

*Mileage:*

Average agreed at £114.76 per week

(255 miles @ 45p per mile)

For 22 weeks	£2524.50
Bus 4 weeks @ £20 per week	£80.00
Total	£3360.50
Less earnings	£819.00
Net loss	£2541.50
Loss of statutory rights	£450.00
Total compensatory award	<u>£2991.50</u>
Total award	£3631.50
25% uplift for failure to follow the ACAS Code	£907.87
<b>Total award to Claimant</b>	<b>£4539.37</b>

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Employment Judge Laidler

Date: .....27/11/2017.....

Sent to the parties on: .....

.....  
For the Tribunal Office

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.