



EMPLOYMENT TRIBUNALS

Claimant: Mr G Anderton

Respondent: Ellwood Transport Ltd

Heard at: Manchester

On: 28 March 2018

Before: Employment Judge Ross

REPRESENTATION:

Claimant: In person

Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claim that he was unfairly dismissed is well-founded and succeeds.
2. I order the respondent to pay the claimant a basic award of £2,507 and a compensatory award of £962. These sums take account of the payment made to the respondent by the claimant on termination of employment and the principle in *Polkey v AE Dayton services*.
3. The claimant's claim for notice pay is well founded and succeeds. I order the respondent to pay the claimant £1,573. (4 x a week's pay at £500 per week less £427 received in lieu of notice)
4. The total sum of £ 5,042 is payable to the claimant by the respondent within 14 days of the date of this judgment.
5. The Employment Protection(Recoupment of Benefit Regulations) 1996 do not apply.

Employment Judge Ross

Date 28 March 2018

JUDGMENT SENT TO THE PARTIES ON

5 April 2018

FOR THE TRIBUNAL OFFICE

Note

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2424243/2017

Name of case: Mr G Anderton v Ellwood Transport Ltd

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: 5 April 2018

"the calculation day" is: 6 April 2018

"the stipulated rate of interest" is: 8%

MR S ARTINGSTALL
For the Employment Tribunal Office