



EMPLOYMENT TRIBUNALS

Claimant: Mrs N Stower

Respondent: C & L Facilities Ltd

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the **corrected remedy and costs judgment set out below is substituted for the remedy and costs judgment which was sent to the parties on 26 February 2018.** The corrected figures are in italics.

The unanimous judgment of the Tribunal is that

1. the Claimant is entitled to the total sum of £26,600 as compensation for the unfair dismissal, calculated as follows:

a. **basic award of £1900 (4 full years x 1 week's gross pay subject to the statutory maximum - £475).**

b. **Loss of earnings – the difference between what the Claimant would have earned (£42904.92) and what she earned/received (£7003.04) = £35901.88**

i. **33 weeks to 17 July 2016 x £434.02 net = £14322.66 net**

ii. **Maternity Leave Period (18/7/2016 – 8/11/2016) = £3739.51, i.e. 6 weeks at 90% of average weekly net income + 10 weeks at £139.58.**

iii. **9/11/16 – 13/7/17 = £15120.70 (35 weeks at £432.02)**

iv. **14/7/17 – 25/1/2018 = £9722.05.**

LESS

First Data earnings Mar – June 2016: £2042.04

Stockbrook Manor Golf Club: £628.16

Income from current job: £1959.98

Statutory Maternity Pay received: £2372.86

c. Loss of statutory employment rights = £500

**d. The ACAS uplift of 25% awarded on (b) + (c) above =
£9100.47 (25% x £36401.88)**

**Total compensatory award (b) + (c) + (d) = £45502.35
calculated above is subject to the cap imposed by section
124(1)(1ZA) of £475 x 52 weeks = £24,700**

**TOTAL MONETARY AWARD = £26,600 (basic + compensatory
award).**

**The Recoupment Regulations apply to this award as set out in
attached Notice.**

In calculating the prescribed element, the Tribunal applied the proportion by which the figure of £45502.35 was reduced by the application of the statutory cap (54.3%), to the figure which would otherwise have represented the prescribed element i.e. £35901.88. *The prescribed element = £19494.72.*

2. The Respondent's application for costs against the Claimant was dismissed.

3. The Respondent was ordered to pay to the Claimant the sum of £1920 (£1600 plus VAT) in respect of costs incurred.

Employment Judge Hyde

2 August 2018

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.