



EMPLOYMENT TRIBUNALS

Claimant: Mr J Andrews

Respondents: 1. Greater Manchester Buses (South) Limited
2. Mr S Roughley

HELD AT: Manchester

ON: 20 and 21 June 2018

BEFORE: Employment Judge Horne
Ms L Atkinson
Ms B Hillon

REPRESENTATION:

Claimant: Ms R Levene, Counsel

Respondents: Ms R Wedderspoon, Counsel

JUDGMENT ON REMEDY

1. The tribunal unanimously orders the first respondent to pay the claimant a basic award of £3,141.60 and a compensatory award of £500.00 for unfair dismissal.
2. The tribunal unanimously orders the first respondent to pay the claimant, as general damages for contravening the Equality Act 2010, the sum of £18,150 plus interest of £3,997.97, making a total of £22,147.97.
3. By a majority (consisting of the two lay members), the tribunal orders the first respondent to pay the claimant, as damages for financial losses caused by its contraventions of the Equality Act 2010, the sum of £13,399.98 plus interest of £1,164.72, making a total of £14,564.10.
4. The employment judge, in the minority, would have reduced the award of damages for financial losses to reflect a 20% chance that the claimant would in any event have resigned in the absence of any contravention of the Equality Act 2010.
5. The tribunal unanimously makes no award of damages for breach of contract on the ground that the claimant's losses are fully compensated by the award of compensation for financial losses for contravention of the Equality Act 2010.

6. The total amount payable by the first respondent pursuant to this judgment is £40,353.67.

This award is made on the following basis:

- (1) the tribunal being satisfied, on the basis of representations made by the parties, that the claimant will not be liable to pay tax or national insurance on any of the above award;
- (2) the tribunal being satisfied, on the basis of representations made by the parties, that the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply;
- (3) the tribunal having assumed, in the absence of any indication to the contrary, that the claimant does not seek any award jointly against the first and second respondents, or any finding as to the extent to which the claimant's losses are attributable to the second respondent's contravention of the Equality Act 2010; and
- (4) the tribunal indicating that either party may apply for the judgment to be reconsidered on the ground that the above basis can be shown to be incorrect. In considering an application for reconsideration on this ground after the expiry of the time limit, the tribunal will have regard to the date on which the applying party became aware of the facts tending to show that the basis of the judgment was incorrect.

Written reasons were requested orally at the hearing and will follow this judgment.

Employment Judge Horne

Date: 21 June 2018

SENT TO THE PARTIES ON

25 September 2018

THE TRIBUNAL OFFICE

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2402002/2016**

Name of **Mr J Andrews** v **Greater Manchester
Buses South Limited
& Others**
case(s):

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: **25 September 2018**

"the calculation day" is: **26 September 2018**

"the stipulated rate of interest" is: **8%**

MRS L WHITE
For the Employment Tribunal Office

