



EMPLOYMENT TRIBUNALS

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE FRANCES SPENCER

BETWEEN: MR P HOWELL CLAIMANT

AND

THE CUPBOARD DOOR COMPANY LTD RESPONDENT

ON: 24th July 2018

Appearances

For the Claimant: Mr R Brandley, friend
For the Respondent: Mr R Morton, solicitor

JUDGMENT AS TO REMEDY

The Judgment of the Tribunal is that:

- (i) The Claimant contributed to his dismissal and it is just and equitable that the basic and compensatory awards should be reduced by 25%;
- (ii) Pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992 the compensatory award shall be increased by 20%.
- (iii) No deductions for "Polkey" or failure to mitigate loss are appropriate.
- (iv) The Respondent is ordered to pay the Claimant £16,008.30 calculated as follows:

<u>Basic Award</u>	£	£
1.5 x 6 x £418.48	3,766.32	
Less 25% (S122(2) of the ERA)		2,824.74
<u>Compensatory Award</u>		
Loss for 9 months	14,648.4	

Add 20% (s 207A)	<u>2,929.68</u>	
	17,578.08	
Less 25% 123(6) of the ERA		<u>13,183.55</u>
<u>Total Award</u>		16,008.3

Employment Judge F Spencer
25TH July 2018

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.