



EMPLOYMENT TRIBUNALS

Claimant: Mr G Ashworth

Respondent: Help Your Claim Ltd

Heard at: Manchester

On: 29 November 2018

Before: Employment Judge Franey
(sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Did not attend

REMEDY JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

Following the judgment on liability made on 20 September 2018 and sent to the parties in writing on 5 October 2018, the judgment of the Tribunal is as follows:

1. As compensation for harassment related to disability, for breach of the duty to make reasonable adjustments, and for discrimination arising from disability the respondent is ordered to pay to the claimant the total sum of **£25,662.61** made up of the following:

- (a) £2,420.03 in respect of lost bonus payments between August 2017 and April 2018;
- (b) £1,431.91 in respect of financial losses between dismissal and this hearing;
- (c) £234.71 as interest on those past financial losses;
- (d) £2,743.52 as future financial losses for a period of six months from this hearing;
- (e) £18,000.00 in respect of injury to feelings, and
- (f) £832.44 as interest on compensation for injury to feelings.

2. As compensation for unfair dismissal the respondent is ordered to pay to the claimant the total sum of **£1,625.00**, made up of a basic award of £1,125.00 and a compensatory award of £500.00.
3. As damages for breach of contract in relation to notice of termination the respondent is ordered to pay to the claimant the sum of **£352.14**.
4. The respondent is ordered to pay to the claimant the gross sum of **£1,660.00** unlawfully deducted from the claimant's pay whilst on sick leave in April – May 2018.
5. In respect of annual leave accrued but untaken the respondent is ordered to pay to the claimant the sum of **£600.00**.
6. The claim for an uplift because of an unreasonable failure to follow the ACAS Code of Practice in relation to the claimant's grievance is refused.
7. The recoupment regulations do not apply.
8. The total amount payable by the respondent to the claimant pursuant to this judgment is **£29,899.75**.

Employment Judge Franey

29 November 2018

JUDGMENT SENT TO THE PARTIES ON

5th December 2018

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.

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(s): **2411912/2018**

Name of **Mr G Ashworth** v **Help Your Claim Ltd**
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: **5th December 2018**

"the calculation day" is: **6th December 2018**

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

MR J HANSON
For the Employment Tribunal Office