



# EMPLOYMENT TRIBUNALS

**SITTING AT:** LONDON SOUTH

**BEFORE:** EMPLOYMENT JUDGE F SPENCER

**MEMBERS:** MS A. DONALDSON  
MS N. O'HARE

**BETWEEN:** MR. L LOT-THOMAS CLAIMANT

AND

ST GEORGE'S UNIVERSITY HOSPITALS RESPONDENT  
NHS FOUNDTION TRUST

**ON:** 10<sup>th</sup> December 2018

## **Appearances**

**For the Claimant:** In person  
**For the Respondent:** Ms Owusu-Agyei, counsel

## **JUDGMENT AS TO REMEDY**

Following our Judgment that the Claimant was unfairly dismissed, the unanimous Judgment of the Tribunal as to Remedy is that:

- i. The Respondent is ordered to pay the Claimant **£8,833.23** calculated as set out below.
- ii. If Claimant had taken reasonable steps to mitigate his loss he would have been able to find a job paying the same rate as his job with the Respondent within 6 months of his dismissal.
- iii. The Claimant contributed to his dismissal and pursuant to section 122(2) and 123(6) of the Employment Rights Act 1996 it would be just and equitable to reduce the basic and contributory awards by 25%.

iv. The Recoupment Regulations do not apply to this award.

v. The Award is calculated as follows.

<u>Basic Award</u>		£
489 x 6 = 2934		
Less 25%		2,200,50
<u>Compensatory Award</u>		
Net loss of pay from Respondent		
6 months x 1816	10,896	
Less received earnings	<u>4348.52</u>	
Add Pension loss	1946.23	
(27,220 x 14.3%) divided by 2		
Loss of statutory rights	<u>350</u>	
Total	8843.71	
Less 25%		<u>6632.78</u>
Total of basic and compensatory awards		<b>8833.28</b>

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Employment Judge F Spencer  
10<sup>th</sup> December 2018