



EMPLOYMENT TRIBUNALS

Claimant: Mr S Keating

Respondent: United Road Transport Union

Heard at: East London Hearing Centre

On: 22 February 2018

Before: Employment Judge C Hyde, sitting alone

Representation

Claimant: Miss A Ahmad, Counsel

Respondent: Ms K Newton, Counsel

SECOND REMEDY JUDGMENT – RE-INSTATEMENT ORDER

The Judgment of the Tribunal is that:

1. Pursuant to section 114 of the Employment Rights Act 1996, the Tribunal makes the following Order:
 - 1.1 The Claimant is to be reinstated to his previous role of Regional Officer at the United Road Transport Union, responsible for region 11, by 23 March 2018.
 - 1.2 The Respondent is to treat the Claimant in all respects as if he had not been dismissed by the Respondent. The Respondent will be required to treat the Claimant as if he had benefited from any

improvement to his terms and conditions of employment that he would have obtained had he not been dismissed.

1.3 All contractual benefits and all rights and privileges in connection with the Claimant's employment will be restored.

1.4 The Respondent is to pay the Claimant arrears of pay up to the date of his reinstatement in accordance with the following net rates of pay for each four-week period:

1.4.1 For the period from 1 August 2016 until 19 January 2017 at the rate of £2268.41 = £13,610.46;

1.4.2 For the period 19 January 2017 until 13 April 2017 at the rate of £2299.42 = £6,898.26;

1.4.3 For the period 13 April 2017 until 18 January 2018 at the rate of £2315.88 = £23,158.80;

1.4.4 For the period 18 January 2018 until the date of reinstatement at the rate of £2376.75 = £5,545.75.

TOTAL: £49,213.27.

2. The Respondent is to pay the Claimant's the following pensions contributions:

2.1 For the period from 1 August 2016 until 22 December 2016 at the rate of £312.24 = £1,470.54;

2.2 For the period 22 December 2016 until 18 January 2018 at the rate of £318.48 = £4,099.14;

2.3 For the period 18 January 2018 until the date of reinstatement at the rate of £331.22 = £715.85.

TOTAL: £6,285.53.

3. The Respondent is to pay the Claimant in respect of his car insurance in accordance with the following rates:

3.1 From January 2017 until January 2018 at the monthly rate of £88.35 = £1,148.55;

3.2 From January 2018 until the date of reinstatement at the monthly rate of £76.09 = £152.18.

TOTAL: £1,300.73

4. The Respondent is to pay to the Claimant the sum of **£5,421.45** in respect of expenses incurred and evidenced by his receipts.

5. The additional expenses for March 2018 total **£283.03**.

6. Should the Respondent reinstate the Claimant, the terms of the Order must be complied with by **23 March 2018**.

TOTAL VALUE OF THE REINSTATEMENT ORDER: £62,504.61.

The amended statutory cap for any compensatory award will, thus, be £62,504.61 minus the value of the additional award.

Employment Judge Hyde

11 September 2018