



THE EMPLOYMENT TRIBUNALS

Claimant **Mr J Banerjee**
Respondent **Royal Bank of Canada**
Employment Judge: **Mr J Tayler**

JUDGMENT

The Claimant's application dated 15 February 2019 for reconsideration of the Judgment sent to the parties on 1 February 2019 is refused.

REASONS

1. The application for reconsideration is refused as I consider there is no reasonable prospect of the original decision being varied or revoked; because:
 - 1.1. The Claimant had the opportunity to put forward any submission he wished to advance on the issue of the day and month in any year up to which compensation should be calculated. It was inevitable that a date be chosen. The Claimant could have submitted that the calculation should be to the end of the bonus year.
 - 1.2. The approach adopted to calculation of loss was to fix a date that reflected the possibilities that the termination of the Claimant's employment might have been earlier or later. A reconsideration on the basis advanced by the Claimant might equally result in a determination that the loss period should end earlier than was determined.
 - 1.3. The assessment of loss took into account the possibility that the amount of bonus might vary from year to year. The Claimant might have chosen to leave part way through the bonus year if it did not appear that he was likely to receive a bonus or a bonus of the level he expected.

- 1.4. The Claimant's employment might have ended on a date that the Claimant was not able to decide upon; e.g. by reason of redundancy.

Employment Judge Tayler

22 February 2019

Judgment and Reasons sent to the parties on 27 Feb. 19