



EMPLOYMENT TRIBUNALS

Claimant: Mr L McLoughlin

Respondent: Tab Refractory Construction & Maintenance Co Ltd

HELD AT: Liverpool

ON: 4 & 5 March 2019

BEFORE: Employment Judge Holbrook

REPRESENTATION:

Claimant: Miss A Johns, Counsel

Respondent: Mr G Isherwood, Consultant

JUDGMENT

1. The claims for unfair dismissal, wrongful dismissal and for unlawful deductions from wages succeed.
2. The respondent is ordered to pay a monetary award of £14,157.52 to the claimant. This comprises:
 - 2.1 a basic award for unfair dismissal of £3,429.00;
 - 2.2 a compensatory award for unfair dismissal of £6,207.52;
 - 2.3 contractual notice pay of £3,764.08; and
 - 2.4 contractual sick pay of £756.92.
3. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply and for the purpose of those Regulations:
 - 3.1 The amount of the prescribed element is £2,966.43.
 - 3.2 The prescribed element is attributable to the period from 1 June 2018 to 5 March 2019.
 - 3.3 The amount by which the monetary award exceeds the prescribed element is £11,191.09.

Employment Judge Holbrook

Date 5 March 2019

JUDGMENT SENT TO THE PARTIES ON

8 March 2019

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment were given orally at the hearing. However, it is noted that the respondent has requested written reasons, and these will be provided separately.

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2415000/2018**

Name of **Mr L McLoughlin** v **Tab Refractory
Construction &
Maintenance Co 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: **08 March 2019**

"the calculation day" is: **09 March 2019**

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

MRS L WHITE
For the Employment Tribunal Office

