



EMPLOYMENT TRIBUNALS

Claimant: Mr B Burke

Respondents: Thomas Contracting Limited

HELD AT: Liverpool **ON:** 13 March 2019

BEFORE: Employment Judge Robinson

REPRESENTATION:

Claimant: Miss R Owusu-Agyie, Counsel

Respondent: Mr J Chambers, Solicitor

JUDGMENT

The judgment of the Tribunal is that the respondents shall pay forthwith to the claimant the sum of £31,566 made up as per the Schedule below.

Of his own motion and on reconsideration, the figures below have been amended by Employment Judge Robinson to accord with the figures given in the schedules of loss. The final amount due to the claimant, however, remains the same as announced at the hearing.

Schedule

The recoupment provisions do not apply.

Basic Award **£ 4,320.00**

Compensatory Award

Loss of Statutory Rights £ 960.00

Damages for wrongful dismissal £ 2,286.00

Damages from 15 March 2019 £15,621.00

Expenses £ 9,027.00

Total	£27,894.00	
Minus earnings since dismissal	£ 9147.70	
Total	£18,746.30	
Plus 20% ACAS Uplift	£ 3,749.26	
Total		£22,495.56
Add Basic award		£ 4320.00
Total		£26,815.56
Plus, future loss together with 20% uplift		£18,745.20
Add pension loss		£ 393.60
Total		£45,954.36
Grossed up total ($£25680 + £25,342.95 = £51,022.95$)		
Total due before statutory cap		<u>£51,022.95</u>
Total applying the statutory cap to compensatory award (52 weeks x £480 p.w.)		£24,960.00
Basic Award		£ 4,320.00
Damages for wrongful dismissal		£ 2,286.00
Total (due to the claimant)		£31,566.00

Employment Judge Robinson

Date: 26 March 2019

JUDGMENT SENT TO THE PARTIES
16 April 2019

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2414977/2018**

Name of **Mr B Burke** v **Thomas Contracting**
case(s): **Limited**

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: **16 April 2019**

"the calculation day" is: **17 April 2019**

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

MR J HANSON
For the Employment Tribunal Office