



EMPLOYMENT TRIBUNALS

Claimant: Mr P Hodgkiss

Respondent: Travis Perkins Trading Company Limited

HELD AT: Liverpool **ON:** 15 February, 28 March &
28 May 2019 (in chambers)

BEFORE: Employment Judge Shotter

MEMBERS: Mrs A Ramsden
Mr PC Northam

REPRESENTATION:

Claimant: Mr J Halson, solicitor
Respondent: Mr R Dawson, solicitor

JUDGEMENT ON REMEDY

The unanimous judgment of the Tribunal:

1. The respondent is ordered to pay to the claimant compensation for unfair dismissal in the sum of £18,921.64 consisting of loss of earnings in the net sum of £18,150.00, employer pension contributions in the sum of £1,806.00 and loss of statutory rights in the sum of £500.00. The basic award has been subsumed by the claimant's enhanced redundancy payment and the sum of £1534.36 has been deducted from the compensatory award.
2. The respondent is ordered to pay to the claimant compensation for unlawful age discrimination in the sum of £18,950 plus interest at 8% over 518 days totalling £2151.47.

3. The respondent agrees to give an indemnity in the claimant's favour agreeing to pay any tax in the event that HMRC subsequently attacks award relating to damages for unfair dismissal and injury to feelings.

28.5.19 Employment Judge Shotter

JUDGMENT SENT TO THE PARTIES ON
12 June 2019

FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2411659/2018**

Name of case(s): **Mr P Hodgkiss v Travis Perkins Trading Company 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: **12 June 2019**

"the calculation day" is: **13 June 2019**

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

MISS H KRUSZYNA
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.