



# EMPLOYMENT TRIBUNALS

## BETWEEN

Claimant  
MR DAVID JAMES

AND

Respondent  
MID AND WEST WALES FIRE  
AND RESCUE SERVICE

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT: CARDIFF      ON:    13<sup>TH</sup> JUNE 2018

EMPLOYMENT JUDGE MR P CADNEY

MEMBERS:

APPEARANCES:-

FOR THE CLAIMANT:-

FOR THE RESPONDENT:-

### REMEDY JUDGMENT

By consent and in the terms agreed by the parties the following awards are made:-

1.     £16,054.88 in respect of underpaid salary up to and including 30<sup>th</sup> June 2018.
2.     £3,483.90 by way of underpaid employer's pension contributions to be paid into the Respondent's pension scheme (with the claimant being under an obligation to make corresponding employee's pension contributions in to that scheme).
3.     £150 in respect of the difference in CPD payments over a 3 year period; and
4.     Pay Protection in the sum of £5,680.22 for the period 1<sup>st</sup> July 2018 to 31<sup>st</sup> March 2019, to be paid in monthly instalments alongside the claimant's normal remuneration in the normal way. For the avoidance of doubt, this entitlement equates to nine monthly payments of £631.13 per month (subject to income tax

and national insurance contributions). This payment is subject to the Respondent's normal principles of pay protection, so that if (a) the claimant's entitlement to full pay ceased during a period of sick leave or if he left he employment with the respondent, then his entitlement to pay protection would be adjusted or cease accordingly, and (b) if the Claimant were transferred at his own request to work at a station other than Swansea West, then the entitlement conferred by this paragraph would cease.

**Sent to the parties on**

**27 June 2018**

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**EMPLOYMENT JUDGE CADNEY**

**Dated: 13th June 18**

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**For the Tribunal Office**