



EMPLOYMENT TRIBUNALS

SITTING AT: LONDON SOUTH
BEFORE: EMPLOYMENT JUDGE SPENCER
BETWEEN: MS S KAPUR CLAIMANT
AND
KUMSAL LIMITED RESPONDENT

ON: 5th June 2019

Appearances

For the Claimant: Mr S Kapur, father
For the Respondent: Ms E Moore, counsel

JUDGMENT

Following the Judgment of the Tribunal on 22nd January 2019 that the Claimant was unfairly constructively dismissed, the Judgment of the Tribunal as to remedy is that the Respondent should pay to the Claimant £5,634, calculated as follows:

	£
<u>Basic Award</u>	420
<u>Compensatory Award</u>	
(a) Loss from 12 th May -222nd July 2018 10x 265.8 =	2,658.4
ADD	
(b) Loss from 23 rd July – 5 th October 2018 265.84 x11=2924.24	
Less	778.29
	2,145.95
DEDUCT	
(c) additional earnings from 8 th October 2018 – 18 th January 2019	(1,083.92)

ADD		
(d) Loss from 18-29 th January 2019 (1.5 x 265.84)		398.76
ADD		
(e) Loss from 30 th January -27 th February 2019 (1329.2-1163.63)		165.57
ADD		
(f) Loss of statutory rights		350
ADD		
(e) expenses		<u>20</u>
<u>Total Compensatory Award</u>		4,654
ADD		
Increase under section 38 of the Employment Act 2002 , of two weeks' pay,		<u>560</u>
Total award		5,634

Recoupment

The Recoupment Regulations 1996 apply to this award.

The total monetary award is £5,634.

The prescribed element is £4,654.

The period to which the prescribed element relates is 12th May 2018 – 5th June 2019.

The amount by which the total monetary award exceeds the prescribed element is £980.

Employment Judge Spencer
5th June 2019