



EMPLOYMENT TRIBUNALS

Claimant: Mr R Williams

Respondent: Teddington Engineered Solutions Ltd

Heard at: Cardiff **On:** 30 August 2018

Before: Employment Judge S Davies (sitting alone)

Representation

Claimant: in person

Respondent: Mr M Greenwood

JUDGMENT

It is the decision of the Employment Judge sitting alone to uphold the claim for compensation for unfair dismissal, unpaid wages and holiday in the following sums:

1. Details

Date of birth of claimant	25/01/1974
Date started employment	08/10/2001
Effective Date of Termination (EDT)	22/06/2017
Period of continuous service (years)	15
Age at EDT	43
Net weekly pay at EDT	222.33
Gross weekly pay at EDT	234.85
Gross annual pay at EDT	12,546.56

2. Basic award

Basic award	3,757.60
Number of qualifying weeks (16) x Gross weekly pay (234.85)	
Less contributory fault (basic award) @ 25%	-939.40
Total basic award	2,818.20

3. Compensatory award (immediate loss)

Loss of net earnings	13,784.46
Number of weeks (62) x Net weekly pay (222.33)	
Plus loss of statutory rights	450.00
Less non-recoupable benefits	-1,082.73
<i>council tax 21.23 x 51 weeks</i>	
Total compensation (immediate loss)	13,151.73

4. Arrears of pay

Holiday pay (6 days accrued but untaken)	281.82
Unlawful deductions (arrears of pay 1 May to 22 June 2017)	1,792.37
Total compensation (other statutory rights)	2,074.19

5. Adjustments to total compensatory award

Plus failure by employer to follow ACAS Code @ 25%	3,736.02
Less contributory fault (compensation award) @ 25%	-4,221.94
Compensatory award before adjustments	15,225.92
Total adjustments to the compensatory award	-485.92
Compensatory award after adjustments	14,740.00
COMPENSATION CAPPED (GROSS ANNUAL PAY) AT	12,546.56

6. Summary totals

Basic award	£2,818.20
Compensation award including statutory rights	£12,546.56
Total	£15,364.76

RECOUPMENT

Recoupment

Prescribed period: 23/06/2017 to 30/08/2018

Total award £15,364.76

Prescribed element £8,336.23

Balance £7,028.53

Employment Judge Davies

Date 30 August 2018

JUDGMENT SENT TO THE PARTIES ON

.....31 August 2018.....

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FOR THE TRIBUNAL OFFICE

NOTE: Reasons were given orally at the hearing. In accordance with Rule 62 (3) of the Employment Tribunal Rules of Procedure 2013, no written reasons will be provided unless requested by a party at the hearing or in writing within 14 days of sending the written record of the decision.