



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Jones

**Respondent:** West Penwith Community Bus Association

**Heard at:** Bodmin **On:** Wednesday 20  
November 2019

**Before:** Employment Judge Matthews

**Representation:**  
**Claimant:** In Person  
**Respondent:** Ms N Hambleton - Paralegal

## JUDGMENT

1. Mr Jones was unfairly dismissed.
2. No order for reinstatement or re-engagement is made.
3. It is just and equitable to reduce any basic award and any compensatory award made to Mr Jones by 50% by reference to sections 122(2) and 123(6) of the Employment Rights Act 1996 in respect of Mr Jones' contributory conduct. These reductions have been accounted for in the awards below.
4. The Respondent is ordered to pay to Mr Jones unfair dismissal compensation totalling £774.38 comprising a basic award of £315.00 and a compensatory award of £459.38. The compensatory award includes an increase of 25% in respect of the Respondent's failure to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015.
5. The recoupment regulations do not apply.

## Schedule of Calculations

Gross weekly pay: £140 Net weekly pay: £133.75

Claimant aged 41 or over throughout the relevant period of employment with the Respondent

Claimant had three complete years' service

### Basic Award

3 (weeks) x £140 x 1.5 = £630

Less 50% contribution = £315

### Compensatory Award

£200 is awarded for loss of statutory rights

4 (weeks) x £133.75 = £535

Total: £735

25% increase = £183.75

Total: £918.75

Less 50% contribution = £459.38

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Employment Judge Matthews

Date: 20 November 2019

Reasons having been given orally, written reasons will not be provided unless they are asked for by written request presented by any party within 14 days of the sending of this written record of the decision.