



EMPLOYMENT TRIBUNALS

Claimant: Mr S Mckechan

Respondent: Wellies of Wellswood Limited

Heard at: Exeter

On: Friday 20 December
2019

Before: Employment Judge Matthews

Representation:

Claimant: In Person

Respondent: Did not attend and was not represented

JUDGMENT as to Remedy

1. No order for reinstatement or re-engagement is made.
2. The Respondent is ordered to pay to Mr Mckechan unfair dismissal compensation totalling £7,677.46 comprising a basic award of £1,312.50 and a compensatory award of £6,364.96. 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 and an amount equal to 4 weeks' pay under section 38 of the Employment Act 2002 as a consequence of the failure by the Respondent to comply with section 1 of the Employment Rights Act 1996 prior to the commencement of these proceedings.
3. The recoupment regulations do not apply.

Schedule of Calculations

Gross weekly pay: £576.92 (capped at £525)

Net weekly pay: £446.31

Claimant had two complete years' service

Claimant aged 41 or over for one year's service and aged under 41 for the other.

Basic Award

1 (week) x £525 = £525

1 (week) x 1.5 (age multiplier) x £525 = £787.50

Total: £1,312.50.

Compensatory Award

14 (weeks) x £446.31 = £6,248.34

Less earnings in that period of £3,086.37

Total: £3,161.97

£250 is awarded for loss of statutory rights

Total: £3,411.97

25% increase = £852.99

Total: £4,264.96

Additional award in respect of the failure to provide particulars of employment

4 (weeks) x £525 = £2,100

Employment Judge Matthews

Date: 20 December 2019

Judgment sent to parties: 8 January 2020

FOR THE TRIBUNAL OFFICE

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.