



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr I Thompson

v

Openreach Limited

Heard at: London Central

On: 20 December 2019

Before: Employment Judge E Burns
Mr D Kendall
Mr I Mcloughlin

Representation

For the Claimant: In person

For the Respondents: Mr S Way (counsel)

JUDGMENT

The unanimous judgment of the Employment Tribunal is that the respondent is required to pay the claimant the following amounts:

1. A **basic award** for unfair dismissal calculated in accordance with section 119 of the Employment Rights Act 1996 of **£4,978.40**

The award is based on:

- the date of termination of his employment being 10 December 2018
- the claimant having 17 complete years' service as at this date
- his date of birth being 17 November 1961
- the statutory weekly cap on gross pay as at 10 December 2018 being £508
- a 60% reduction in accordance with section 122(2) Employment Rights Act 1996 as per the tribunal's decision at the liability hearing

2. A **Compensatory Award** for unfair dismissal calculated in accordance with section 123 of the Employment Rights Act 1996 of **£8,121.10**

The award is based on:

- The tribunal's finding that the claimant's net weekly earnings were £497.53 and it would be just and equitable to award him compensation for 44 weeks from 10 December 2018 to 11 October 2019
 - The tribunal's finding that the claimant received an employer's pension contribution of 10% of his gross weekly pay of £61.20 per week and it would be just and equitable to award this for 44 weeks as above
 - The tribunal's finding that the claimant would have received £608.10 on the maturity of his saveshare plan for 2016 on or around 1 August 2019
 - An award for loss of statutory rights of £300
 - A deduction for net earnings between 1 June and 11 October 2019 of £5,261.48 (19 weeks at £276.92 per week)
 - a 60% reduction in accordance with section 123 Employment Rights Act 1996 as per the tribunal's decision at the liability hearing
3. An award of **£62.00** by way of an unauthorised deduction from wages, if not already paid.
4. The total payable is therefore **£13,161.50** which should be paid within 14 days of today's date,

**Employment Judge E Burns
20 December 2019**

Sent to the parties on:

27/1/2020

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For the Tribunals Office