



THE EMPLOYMENT TRIBUNALS

Claimant: Miss EJ Russell

Respondent: Francis Construction Limited

Heard at: Teesside Justice Centre **On:** Tuesday 14th January 2020

Before: Employment Judge Martin

Members:

Representation:

Claimant: In Person

Respondent: Mr Cameron (Employment Consultant)

JUDGMENT ON REMEDIES

1. The claimant's complaint of breach of contract (notice pay) is well-founded. The respondent is ordered to pay the claimant the sum of £699.02.
2. The claimant's claim for breach of the Working Time Regulations (Holiday Pay) is well-founded. The respondent is ordered to pay the claimant the sum of £91.28.
3. The claimant is awarded compensation for unfair dismissal as follows:-

Basic award	
2x 1.5 x £456.40	£1,369.20

Compensatory award	
Immediate loss	£349.51

5th March – 13th March

13 th March – 1 st October	£1,001.31
(30.5 weeks difference in earnings from wages received to what would have been earnings with the respondent at the rate of	

£32.83 per week

1st October – 14th January 2020 £627.45
(15 weeks £21.83 being the
difference in salary between the
claimant's current employment
with the respondent

Pension Loss 13th March – 1st October 2019 £320.85

Subtotal £2,299.12

Future loss

6 weeks £41.83 £250.98

Loss of statutory rights £500.00

Uplift for failure to follow ACAS
Code of Conduct at rate of 20%
£610.00

Total compensatory award for
unfair dismissal £3,660.01

Total award for compensation for
unfair dismissal £5,029.21

4. The Employment Tribunal (Recruitment of Benefits) Regulations 1996 apply to this award. The prescribed period is 20th February 2019 – 13th March 2019. The prescribed element is £349.51.

EMPLOYMENT JUDGE MARTIN

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 5 February 2020**

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