



EMPLOYMENT TRIBUNALS

Claimant: Dr K Howe

Respondent: Broseley Town Council

Heard at: Birmingham (by Skype)

On: 11 June 2020

Before: Employment Judge Miller

Representation

Claimant: Mr Powell (Counsel)

Respondent: Mr Heard (Counsel)

JUDGMENT

1. The Claimant's application for interim relief pursuant to section 128 Employment Rights Act 1996 succeeds. It appears to the Tribunal that it is likely that on determining the complaint to which the application relates the Tribunal will find that the reason (or, if more than one, the principle reason) for the Claimant's dismissal was for the reason specified in section 103A of the Employment Rights Act 1996
2. The Respondent having stated that it is unwilling to reinstate or re-engage the Claimant, an order for the continuation of the Claimant's contract of employment is made pursuant to section 130 Employment Rights Act 1996.
3. The hearing is adjourned until 27 July 2020 at 10am at which the final terms of the order for the continuation of the Claimant's contract of employment shall be made.
4. For the purposes of making that order, the Tribunal makes the following determinations:
 - a. The Claimant's pay at and from the date of the termination of the Claimant's employment, for the purposes of section 130 Employment Rights Act 1996 ONLY, is the gross amount of £41,675 per annum payable monthly in arrears at a rate of £3472.90 per month.
 - b. The Claimant shall continue to be a member of the Respondent's pension scheme and the Respondent shall continue to pay

employer contributions in respect of the Claimant's membership of the scheme commensurate with its obligations under the scheme for an employee earning a salary of £41,675 per annum.

5. Other terms of the order for the continuation of the Claimant's contract of employment (including relating to contractual increments, the obligation to pay for training and the amount of arrears owed to the claimant in respect of the period from the date of termination of her employment) will be determined at the resumed hearing.

Employment Judge **Miller**

Date 12 June 2020