



EMPLOYMENT TRIBUNALS

Claimant: Mr J Hoyle

Respondent: Channel Solutions Resource Limited

HELD AT: Sheffield

ON: 28 and 29 July 2020

BEFORE: Employment Judge Little

REPRESENTATION:

Claimant: Miss L Halsall of Counsel (instructed by Stewart and Co Solicitors)

Respondent: Ms C Atkinson, Contracts Manager

JUDGMENT

My Judgment is that:-

1. The claimant was dismissed (enforced resignation).
2. That dismissal was unfair.
3. It is just and equitable to apply an uplift of 25% to the compensation to be awarded to the claimant under the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992, section 207A.
4. By way of interim remedy award the claimant is entitled to a basic award in the amount of £326.92 and there is, to reflect the uplift, the further amount of £81.73 thereon. By way of interim award for compensatory matters the claimant is awarded £300 for loss of statutory rights with an uplift of £75.00.
5. Accordingly at this stage the respondent will pay to the claimant forthwith the sum of £783.65.
6. The balance of the compensation award will be assessed (if not agreed) once the claimant has provided further documentary evidence (see Case Management Order of even date).

7. The further compensatory award will be determined taking into account the following principles or findings:
 - 7.1. The period for immediate loss is 17 October 2019 (effective date of termination) to 29 July 2020, a period of 40 weeks and the pay which the claimant would have received if not dismissed was £286.09 net per week.
 - 7.2. The claimant will be awarded future loss for a period of 16 weeks.
 - 7.3. No contribution or Polkey reduction applies.
 - 7.4. The Recoupment Regulations do not apply.
 - 7.5. The uplift under the 1992 Act will be applied to the further sums awarded.

Employment Judge Little
Date 5th August 2020