



EMPLOYMENT TRIBUNALS

Claimant: Miss EJ Russell

Respondent: Francis W Construction Ltd

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the amended Judgement sent to the parties on 25 February 2020, is corrected by amending the title of the Respondent to Francis W Construction Ltd.

Employment Judge **Martin**
23 June 2020

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.



THE EMPLOYMENT TRIBUNALS

Claimant: Miss EJ Russell

Respondent: Francis W 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	

1 st October – 14 th January 2020	£627.45
(15 weeks £41.83 being the difference in salary between the claimant's current employment with the respondent	

Pension Loss 13 th March – 1 st 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		£3,660.10
Total award for compensation for unfair dismissal		<u>£5,029.30</u>

4. The Employment Tribunal (Recoupment 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
JUDGMENT SENT TO THE PARTIES ON**

5 February 2020

AND ENTERED IN THE REGISTER

Miss K Featherstone

FOR THE TRIBUNAL

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.