



EMPLOYMENT TRIBUNALS

Claimant: Mr A Partington

Respondent: Golf Depot Limited

Heard at: Manchester (by CVP)

On: 7 January 2021

Before: Employment Judge Warren

REPRESENTATION:

Claimant: Ms L Kingsley, Solicitor

Respondent: Not in attendance

JUDGMENT

The judgment of the Tribunal is that the claimant was unfairly dismissed.

The respondent is ordered to pay him a remedy in the sum of £17,184.95 calculated in accordance with the schedule attached to this Judgment.

Schedule

Background

The claimant was born on 21 November 1986. He was employed by the respondent from 30 April 2009 until 15 May 2020 (the effective date of termination). He earned £420 a week gross and £404.75 a week net. He had completed 11 years of continuous service and was entitled to a statutory notice period of 11 weeks. His effective date of termination was 15 May 2020, at which point he was 34 years old.

(1) Basic Award

11 weeks x £420 = £4,620.00

(2) Compensatory Award

Loss to the date of Tribunal hearing – 33 weeks x £404.75 £13,356.75

Loss of statutory rights £300.00

Sums obtained through employment to the date of Tribunal	<u>£4,899.99</u>
Total past loss	<u>£8,756.76</u>
Statutory uplift of 25% due to the complete failure of the respondent to comply with any part of the ACAS Code = 25% x £8,756.76	
Total compensatory award after adjustment for uplift	£10,945.95
Failure to provide a written statement of particulars of employment – 4 weeks' pay	<u>£1,619.00</u>
Total compensatory award	<u>£12,564.95</u>
Total award due from the respondent to the claimant (£4,620.00 basic award + £12,564.95 compensatory award)	<u>£17,184.95</u>

Employment Judge Warren

Date: 7 January 2021

JUDGMENT SENT TO THE PARTIES ON

20 January 2021

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2408820/2020**

Name of case: **Mr A Partington** v **Golf Depot Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("*the calculation day*") 42 days after the day ("*the relevant judgment day*") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: **20 January 2021**

"the calculation day" is: **21 January 2021**

"the stipulated rate of interest" is: **8%**

For and on Behalf of the Secretary of the Tribunals