



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Travers

**Respondent:** J.W. Crowther & Son Limited

**Heard at:** Leeds by CVP **On:** 12 May 2021

**Before:** Employment Judge Tegerdine

## Representation

Claimant: In person

Respondent: Ms Derian Keyms (HR Consultant)

# JUDGMENT ON REMEDY

At a hearing on 9 April 2021 the Tribunal found that the claimant had been unfairly dismissed. The Tribunal now makes the following award in respect of the claimant's unfair dismissal.

The judgment of the Employment Tribunal is that the respondent is ordered to pay to the claimant:

1. A basic award of £6,456.00; and
2. A compensatory award of £3,649.46, which has been calculated in accordance with the attached schedule.

The total gross sum due to the claimant is therefore **£10,105.46**. The respondent is ordered to pay the sum due to the claimant on or before 26 May 2020.

SCHEDULE – COMPENSATORY AWARD

- (1) Value of claimant's remuneration package whilst employed by the respondent:

Claimant's net weekly pay: £517.34

Claimant's weekly pension contribution (deducted from gross salary):  
£28.30

Employer's weekly pension contribution: £16.92

Total net pay (including employee's pension contributions): £545.64 per week.

Total value of claimant's remuneration package (including employer's pension contributions): £562.56 per week

- (2) Financial loss while claimant was unemployed between date of dismissal and date he started job at Walkers Windows Ltd (01/08/2020 – 07/09/2020):

5.5 weeks x £562.56 per week = £3,094.08

- (3) Financial loss while claimant was working at Walkers Windows Ltd (08/09/2020 – 18/10/2020):

The claimant did not benefit from employer's pension contributions when he worked at Walkers Windows, as he did not participate in the employer's pension scheme.

Claimant's net weekly pay (total net pay from Walkers Windows - £3,218.42 divided by 6 weeks) = £536.41

Difference between claimant's net weekly pay at Walkers Windows and net weekly pay while he worked for the respondent: £545.64 - £536.41 = £9.23 per week.

6 weeks x £9.23 per week = £55.38

- (4) The claimant did not suffer any ongoing financial loss after he started working at Macs Truck Sales Limited on 19/10/2020, as the claimant earned more at Macs Trucks than he did when he worked for the respondent.

- (5) Loss of statutory rights = £500

- (6) Total compensatory award = £3,649.46

Employment Judge Tegerdine

Date 12 May 2021

Date: 2<sup>nd</sup> June 2021