



EMPLOYMENT TRIBUNALS

Claimant

Mr C O Christian

Respondent

v CLC Realisations Limited (in administration)

Heard at: Cambridge (by Cloud Video Platform ('CVP'))

On: 28 May 2021

Before: Employment Judge Johnson

Appearances

For the Claimant: Mr A Otchie (counsel)

For the Respondent: administrator did not attend

REMEDY HEARING JUDGMENT

1. The respondent's administrator has given consent by letter dated 9 July 2020 that the stay in these proceedings can be lifted.
2. The respondent shall pay to the claimant compensation for his complaints of unfair dismissal, unlawful dismissal and unpaid annual leave in the sum of **£28,026.50 (Twenty-Eight Thousand, Six Hundred and Twenty-Six Pounds Fifty Pence)** and calculated as follows:

Basic Award 1. Six completed years of service multiplied by £489 gross weekly pay = £2934.00	Subtotal/Total
Subtotal for Basic Award	£2934.00
Compensatory Award Past/Future Loss of Earnings 2. One year loss of net earnings from effective date of termination on 10 August 2017 to 10 August 2018 (£329 x 52 weeks) = £17108.00 3. Uplift of 25% in accordance with section 124A Employment Rights Act 1996 = £4277.00	

Subtotal (Past/Future Loss of Earnings) = (£17108 + £4277.00) = £21,385.00 Other Losses 4. Loss of statutory rights = £500.00 5. Loss of pension contributions (£75 per month x 12) = £900.00 6. Expenses looking for work = £250.00 7. Uplift of 25% in accordance with section 124A Employment Rights Act 1996 ((500+900+250)x25% = £412.50 Subtotal (other losses) = (£500+£900+£250+£412.50) = £2062.50	
Subtotal for compensatory award (£21,385.00 +£2062.50)	£23,447.50
Wrongful dismissal 1. 3 months notice pay (£329 x 12 weeks) = £3,948.00 <i>Note: the compensatory award already covers the period applicable to wrongful dismissal claim. Therefore, this figure cannot be added to remedy figure and is nil for the purposes of the remedy calculation.</i>	
Subtotal for wrongful dismissal	£Nil
Unpaid annual leave entitlement (holiday pay) 1. 5 weeks net pay (5 x 329.00) = £1,645.00	
Subtotal for unpaid annual leave award	£1,645.00
Grand total	£28,026.50

3. For the purposes of regulation 4 of the Employment Protection (Recoupment of Benefits) Regulations 1996:

Prescribed Element: £21,385.00
 Prescribed Period: 10 August 2017 to 11 August 2018
 Total monetary award: £28,026.50
 Award over the Prescribed Element: £6,641.50

Employment Judge Johnson

Date: ...29 May 2021.....

Sent to the parties on: 20 July 21

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.