



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr. Steven Jones

**Respondent:** Eddisons Commercial Limited

## JUDGMENT ON RECONSIDERATION

1. The claimant's application dated 25 February 2021 for reconsideration of the Judgment dated 23 February 2021 on the grounds that the compensation did not include an amount for 'pension and benefits' is granted.
2. The corrected Judgment is varied to include an amount for two weeks loss of pension and the sum awarded is amended to include an additional £195.14 making a total of £1764.28.
3. In accordance with the varied corrected judgment the respondent will pay the claimant the sum of **£1764.28 (net)**.

### REASONS

1. The claimant applied for a reconsideration of the judgment dated 23 February 2021. The application for reconsideration was refused in relation to those parts of the application set out in the judgment dated 19 March 2021.
2. The parties were given notice that my provisional view was the application should be granted in relation to the issue of whether an amount should be awarded for 2 weeks' loss of pension. The respondent indicated that it agreed with the provisional view and considered that the matter could be determined without a hearing. The parties were then informed that the judgment would be reconsidered on that basis and were given the opportunity by email dated 23 March 2021 to submit any further representations by 22 April 2021. None were submitted.
3. On 4 May 2021 the tribunal sent the parties a further copy of the letter dated 23 March and gave the parties an extended deadline to submit further

representations. The Respondent replied by email dated 10 May 2021 reiterating its view that the application for reconsideration should be granted in relation to pension loss and stating that it considered that the application could be considered without a hearing.

4. The parties were informed that in the light of the responses to the notice, the interests of justice did not require a hearing and the judgment should be reconsidered in relation to the specified ground without a hearing. Any further representations had to be sent to the tribunal by 4 June 2021.
5. On 4 June 2021 the respondent wrote to the tribunal stating that on the basis of the claimant's payslips and taking into account employee and employer contributions the amount that should be awarded for 2 weeks loss of pension was £195.14, not the £69.23 claimed by the claimant.
6. Also on 4 June 2021 the claimant wrote to the tribunal stating that his Hotmail account had been hacked and blocked and that he had not received any communications since the hearing. By letter dated 8 July 2021 the tribunal sent him a copy of all communications since the hearing, and gave him the opportunity to make any further written representations by 22 July 2021. The claimant wrote to the tribunal on 23 July, but provided no further submissions other than stating that the original award remains unpaid.
7. In the circumstances I find that it is appropriate to vary the award to include an amount for 2 weeks' loss of pension. The claimant's schedule of loss provides that one month's pension loss amounted to £150, which would equate to 2 weeks loss of £69.23 ( $150 \times 12 \div 52 \times 2 = £69.23$ ). The respondent has very fairly provided a more accurate calculation based on the contract of employment and payslips and I accept the calculation as set out in its email of 4 June 2021.
8. The appropriate award for loss of pension is therefore £195.41.

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Employment Judge **Buckley**

JUDGMENT SENT TO THE PARTIES ON

Date 9 August 2021

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FOR THE TRIBUNAL OFFICE