



EMPLOYMENT TRIBUNALS

First Claimant: Ms C Davis
Second Claimant: Mr C Payne

Respondent: Cooke Painter Ltd

By: VHS On: 3, 4 and 5 November 2021

Before: Employment Judge Craft

Representation

First Claimant: Miss Ismail, Unregistered Barrister
Second Claimant: Himself
Respondent: Mr Ahmed, Counsel

JUDGMENT

1. The First Claimant, Ms Davis, was unfairly dismissed by the Respondent for which the Respondent shall pay her the following sums:
 - (a) Basic Award: £8,070
 - (b) Compensatory Award: £1,681.
2. The Second Claimant, Mr Payne, was unfairly dismissed by the Respondent for which the Respondent shall pay him the following sums:
 - (a) Basic Award: £8,070
 - (b) Compensatory Award: £2,349.
3. The Recoupment Regulations do not apply to the above Compensatory Awards.
4. The Respondent shall pay the First Claimant, Ms Davis, the sum of £2,060.57 for its unlawful deduction of that sum from the bonus due to her in the Respondent's financial year of 2019/20.
5. The Claimants' claims for payments of pro rata bonuses from the Respondent are dismissed upon their withdrawal by the Claimants.

6. The Claimants' claims for unpaid overtime and compensation under s.38 Employment Act 2002 are dismissed.

Employment Judge Craft
Date: 11 November 2021

Judgment sent to parties: 3 December 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 written request is presented by either party within 14 days of the sending of this written record of the decision.