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EMPLOYMENT TRIBUNALS

Claimant: Mr J Jewniewicz
Respondent: Heley International Ltd
Heard at: East London Hearing Centre (by Cloud Video Platform)
On: 6 January 2022
Before: Employment Judge B Elgot
Members: Ms M Legg
Mr L Bowman

Representation

Claimant: Ms L Durlik
Respondent: Mr C Plume

The Employment Tribunal gave judgment as follows:-

JUDGMENT

1. The Respondent is ORDERED to pay to the Claimant one week's wages (from which the appropriate amount of tax and national insurance may be deducted) for the period 7 to 14 November 2019. The wages must be paid within 21 days.
2. The Claimant, having succeeded in his claim for unfair dismissal, is entitled to be paid compensation as follows:-

Basic Award £ 8347.50

Compensatory Award calculated as follows:-

- i) Immediate loss of wages: 34 weeks from 14 November 2019 until 10 July 2020 at the rate of £338.30 (which is the net weekly wage agreed between the parties) £11,502.20

- ii) Pension Loss: 3% employer's pension contributions in the amount of £11.93 per week for the same period of 34 weeks £405.45
- iii) Loss of statutory employment rights £500
- iv) Sub-Total: £ 12,407.65
- v) The total compensatory award is uplifted by 20% (£2481.53) as a result of the Respondent's unreasonable failure to comply with the relevant ACAS Code on Disciplinary and Grievance Procedures resulting in a total award of: £14889.18
- vi) The grand total payable by the Respondent to the Claimant within 28 days is therefore £23,236.68 (£ 8347.50 +£ 14889.18)
- vii) The Employment Protection (Recoupment of Benefits) Regulations 1996 apply to this award because the Claimant is in receipt of Universal Credit. The relevant information is as follows:-

The monetary award is 14889.18

The prescribed element is £14889.18

The amount by which the total award exceeds the prescribed element is nil

Prescribed period is 14 November 2019 to 10 July 2020 (34 weeks)

Employment Judge B Elgot

10 January 2022