

EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: S/4100758/2017

Held at Glasgow on 20 and 21 September 2017

5

Employment Judge: W A Meiklejohn
Members: Mr G Doherty
Mr A K Smith

10

Mr Douglas Brown

Claimant
Represented by:
Mr S Wilson -
Solicitor

15

Storefirst Management Limited

Respondent
Represented by:
Mr I MacLean -
Consultant

20

25

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The unanimous Judgment of the Employment Tribunal is that:-

30

- (1) The Claimant was unfairly dismissed by the Respondent and the Respondent is ordered to pay to the Claimant a monetary award of **FIFTEEN THOUSAND, NINE HUNDRED AND NINETY ONE POUNDS (£15,991.00)**; the prescribed element is **FOURTEEN THOUSAND, TWO HUNDRED AND EIGHTY EIGHT POUNDS (£14,288.00)** and relates to the period from 30 December 2016 to 21 September 2017; the monetary award exceeds the prescribed element by **ONE THOUSAND, SEVEN HUNDRED AND THREE POUNDS (£1,703.00)**.

35

- (2) The Claimant's claim of unlawful disability discrimination under section 13 of the Equality Act 2010 fails and is dismissed.

(3) The Claimant's claims of unlawful disability discrimination under sections 15 and 19 of the Equality Act 2010 succeed and the Respondent is ordered to pay to the Claimant the sum of **SIX THOUSAND POUNDS (£6,000)** together with interest of **THREE HUNDRED AND FIFTY NINE POUNDS AND ONE PENCE (£359.01)**.

REASONS

1. Reasons were delivered orally at the Hearing.
2. In the course of those reasons the amount of the compensatory award for unfair dismissal relating to the period from date of dismissal to the date of the Hearing was stated as £16,168.00. This figure was taken from the schedule of loss and related to the period from the date of dismissal (30 December 2016) to the date of the Hearing (21 September 2017) which was stated in the schedule of loss to be 43 weeks. However the said period extends to 38 weeks, not 43, and accordingly the correct figure is £14,288.00
3. The attention of parties is drawn to the attached schedule in terms of the Employment Protection (Recoupment of Benefit) Regulations 1996.

Employment Judge: Sandy Meiklejohn
Date of Judgment: 26 September 2017
Entered in register: 29 September 2017
and copied to parties