



EMPLOYMENT TRIBUNALS

Claimant: Mr S Gordon

Respondent: GT Chase Ltd

Heard at: Manchester (by CVP)

On: 12 & 13 May 2022

Before: Tribunal Judge Callan

REPRESENTATION:

Claimant: In person

Respondent: Mr. G Chase supported by his sister Mrs. Oates

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant was employed as a duct erector/fitter by the respondent 15 September 1991 to 17 September 2020..
2. The complaint of unfair dismissal is well-founded. This means the respondent unfairly dismissed the claimant.
3. The claimant is entitled to the sum of £15,000 basic award.
4. The claimant failed to take reasonable steps to obtain alternative employment to reduce his loss of earnings. Therefore no compensatory award was made as, having regard to all the circumstances, it was not just and equitable to make such an award.
5. The respondent was in breach of contract by dismissing the claimant without notice.

6. The claimant failed to take reasonable steps to find work to reduce his loss of earnings. Therefore no payment is due to him as a result of the employer's failure to give him notice.

Tribunal Judge Callan sitting as an Employment Judge
Date: 13 May 2022

JUDGMENT AND REASONS SENT TO THE PARTIES ON
20 May 2022

FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2420744/2020**

Name of case: **Mr S Gordon** v **G T Chase Ltd**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 20 May 2022

"the calculation day" is: 21 May 2022

"the stipulated rate of interest" is: **8%**

Mr S Artingstall
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.