



EMPLOYMENT TRIBUNALS

Claimant: Mr S Thom

Respondent: Greater Manchester Buses South LTD t/a Stagecoach
Manchester

HELD AT: Liverpool **ON:** 26 May 2022

BEFORE: Employment Judge Ficklin

REPRESENTATION:

Claimant: In person
Respondent: Ms R Jones - Counsel

JUDGMENT

1. The claim of unfair dismissal is well-founded. The claimant was unfairly dismissed.
2. It is just and equitable to reduce both awards for unfair dismissal by 75% on the ground of the claimant's conduct prior to dismissal.
3. As compensation for unfair dismissal, the respondent is ordered to pay the claimant:
 - 3.1. A basic award of £1,097.25;
 - 3.2. A compensatory award limited to £50 representing loss of statutory rights.
4. The claimant's claim for wrongful dismissal is well-founded. As damages for breach of contract, the respondent is ordered to pay the claimant the sum of £3,159.37 (6 weeks and 4 days of gross pay at £462.00 per week, plus £123.38 for loss of pension in that period).
5. The tribunal is satisfied that the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply because there was no award for loss of earnings.

6. The claimant is awarded a total of £4,306.62.

Employment Judge Ficklin

6 July 2022

SENT TO THE PARTIES ON

6 July 2022

FOR THE TRIBUNAL OFFICE

Notes:

(1) This judgment follows a remote hearing that took place on a remote video platform. Neither party objected to the format of the hearing.

(2) Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date on which this judgment is sent to the parties. If written reasons are provided, they will be entered onto the tribunal's online register, which is visible to internet searches.

(3) Damages for breach of contract have been awarded gross. This is because it counts as Post-Employment Notice Pay and the claimant is liable to pay tax and national insurance on it. The respondent may deduct the tax and national insurance at source.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2415113/2021**

Name of case: **Mr S Thom** v **Greater Manchester Buses
South LTD t/a Stagecoach
Manchester**

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: 6 July 2022

"the calculation day" is: 7 July 2022

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office