



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Excell

**Respondent:** Deaf Positives Action CIC (in voluntary liquidation)

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. Mr Mark Hooper is removed as a respondent having been added as second respondent in error.
2. **The total judgment sum which the respondent is ordered to pay to the claimant in these proceedings is £27,176.61. This takes into account the matters at paragraphs 2.1 to 2.7 below.**
  - 2.1. The claimant was dismissed in breach of contract and the respondent is ordered to pay damages to the claimant in the sum of £1120 in respect of notice.
  - 2.2. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £1680.
  - 2.3. The claimant was unfairly dismissed and is entitled to an award of loss of earnings for a three-year period to the date of this judgment. The respondent is ordered to pay the sum of £24,960 in respect of loss of earnings.
  - 2.4. The claimant was subjected to disability discrimination. The respondent is ordered to pay the sum of £2000 in respect of injury to feelings.
  - 2.5. The claimant has not established that he was entitled to reimbursement of travel expenses or of the BSL Level 2 exam costs.
  - 2.6. The claimant's claim for holiday pay has already been determined by The Insolvency Service and no further award of holiday pay is made by the Tribunal.

2.7. The claimant has already received the sum of £2583.39 from the respondent on termination of employment. The claimant must give credit for this sum which is deducted from the total judgment sum herein.

Employment Judge Eeley

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Date: 12 August 2022

JUDGMENT SENT TO THE PARTIES ON

4 September 2022

AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE