



EMPLOYMENT TRIBUNALS

Claimants: Mrs Jayne Clement & Mr Andrew Clement

Respondent: The Chief Constable of Cumbria Constabulary

JUDGMENT

The claimants were entitled to be paid both double time and plain time for the 8 hours shift worked on 25th April 2021 in accordance with a proper interpretation of clauses 1.5 & 1.7(d) of the Police Staff Terms and Conditions Handbook as incorporated into the claimant's terms and conditions of employment.

The claimants' claims of unlawful deduction from wages pursuant to the provisions of Part II Employment Rights Act 1996 succeed.

The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2019 and an uplift of 10% is awarded to those sums under TULR(C)A 1992, S207A to reflect that unreasonable failure.

The respondent is ordered to pay to the claimants the total sum of **£187.62**, consisting of the following:

Ms Jayne Clement: £91.05 (net) + 10% uplift: £100.16

Mr Andrew Clement: £79.51 (net) + 10% uplift: £87.46

Interest is not awarded on these sums

Employment Judge Howard
Date 29th September 2022

JUDGMENT SENT TO THE PARTIES ON

27 October 2022

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case numbers: **2414066/21 & 2414067/21**

Name of cases: **Mrs J Clement** v **Chief Constable of
Mr A Clement Cumbria Constabulary**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day, the calculation day, and the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: **27 October 2022**

the calculation day in this case is: **28 October 2022**

the stipulated rate of interest is: **8% per annum**.

For the Employment Tribunal Office