



EMPLOYMENT TRIBUNALS

Claimant: Mr D Andrews

Respondent: Carnforth Railway Restoration & Engineering Services Limited

Heard at: Liverpool (by video)

On: 11 November 2022

Before: Employment Judge Benson

Representation

Claimant: in person

Respondent: no attendance

JUDGMENT

1. The respondent has made an unauthorised deduction from the claimant's wages in respect of salary between 15 April 2021 to 30 December 2021 (37 weeks x £484.66 per week) and is ordered to pay the claimant the gross of **£17,932.42**.
2. The respondent has failed to pay the claimant's holiday entitlement in respect of 9 days in the holiday year 2020 and 23 days in 2022 and is ordered to pay the claimant the sum of **£3101.44** (32 days x £96.92 per day).
3. The respondent has subjected the claimant to harassment related to his disability. His claim succeeds.
4. The respondent victimised the claimant because he brought proceedings pursuant to the Equality Act 2010. His claim succeeds.
5. The respondent is ordered to pay to the claimant the sum of **£9000** together with interest of **£1560** in respect of the injury caused to his feelings.

Employment Judge Benson
Date 11 November 2022

JUDGMENT SENT TO THE PARTIES ON

17 November 2022

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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 ARTICLE 12

Case number: **2419693/2020**

Name of case: **Mr D Andrews** v **Carnforth Railway
Restoration &
Engineering Services
Limited**

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: 17 November 2022

the calculation day in this case is: 18 November 2022

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

For the Employment Tribunal Office