



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Boxall

**Respondent:** Network Rail Infrastructure Ltd

**HELD** Newcastle Employment Tribunal

**SITTING AT:** Teesside Justice Centre

**ON:** 8 March 2023

**BEFORE:** Employment Judge Martin

## REPRESENTATION:

**Claimant:** Mr J McHugh (counsel)

**Respondent:** Mr M Selward (counsel)

# JUDGMENT ON REMEDY

1. The claimant is awarded compensation for unfair dismissal in the sum of £15,382.74 calculated as follows:-

Basic award 25.5 weeks at £544 Less 70% contribution		£4161.60
Compensatory award: Losses to date of hearing		
i. loss from effective date of termination 4 August 2021 to 22 October 2021 11.5 weeks x £527.59 total	£6067.29	
ii. 22 October 2021 - to date -71.5 weeks at weekly loss of £527.59  Less sums received from new employment - the claimant was earning an average of £460.40 making a weekly loss of £67.19 71.5 weeks x £67.19	£4804.09	

Compensatory award Future losses 52 weeks x £67.19	£3493.88	
Sub- total - compensatory award –wages		£14365.26
Pension Loss (past loss) 19 months at £288.81 (employer and employee contributions)	£5487.39	
Pension Loss (future loss) 12 months at £288.81 (employer and employee contributions)	£3466.08	
Sub – total	£8953.47	
Less pension received from new employment from 3 March 2022 at £120.73	£2897.52	
Total pension loss		£6055.95
Total compensatory Award - Wages and pension		£20421.21
Less reduction under Polkey @30%	£6126.36	
Sub – total		£14294.85
Less contribution @ 25%	£3573.71	
Sub - total		£10721.14
Add loss of statutory rights		£500
Total compensatory award		£11221.14
Total Award on compensation - (basic and compensatory awards) for unfair dismissal		<u>£15,382.74</u>

## REASONS

Oral reasons were given at the Hearing. The parties' representatives agreed the final figures. The Tribunal then set out details of the calculations. The parties are entitled to apply for written reasons within 14 days of the date this judgement is sent to the parties.

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**Employment Judge Martin**

Date: 29 March 2023