



# EMPLOYMENT TRIBUNALS

**Claimant:** Claire Smith

**Respondent:** Turnock Ltd

**Heard at:** West Midlands **On:** 26<sup>th</sup> February 2024

**Before:** Employment Judge Steward (sitting alone by CVP)

## Representation

**Claimant:** In person (with the assistance of Ms Downs)

**Respondent:** In Person

# JUDGMENT ON REMEDY

1. The claimant's remedy for unfair dismissal is the following sum

a. Basic Award - £1236.69 (the claimant had 2 years continuous employment. She was over the age of 41 during both years and her gross salary was £412.23 ie  $2 \times 1.5 \times £412.23 = (£1236.69)$ )

b. Compensatory Award - £13,676.38 (the claimant was unemployed from the date of termination which was the 25.4.23 until she was employed on the 30.9.23. This amount of immediate loss was £8229.40. She obtained employment on the 30.9.23 and her weekly pay was £110.21. Her loss therefore until the remedy hearing on the 26.2.24 was  $£357.80 - £110.21 = £247.59 \times 22 \text{ weeks} = £5446.98$ .)

c. The total award is therefore **£14913.07**

2. At the remedy hearing both parties agreed that the weekly net figure of £357.80 was the correct figure for the compensatory award. The claimant gave brief evidence at the remedy hearing and explained that after her dismissal she attended her doctors due to the effects of the dismissal and was provided with medication and a course of CBT. She also gave evidence that she had applied for other jobs and was finally successful obtaining employment with Walsall Council. I was satisfied that she had mitigated her loss.

3. The claimant accepted that the claim for holiday pay £1466.98 was not applicable and this amount is discounted. The claimant also did not want to claim for any compensatory future losses.

Employment Judge Steward  
26<sup>th</sup> February 2024