



EMPLOYMENT TRIBUNALS

Claimant: Mr Tony Wright

Respondent: R.H. Claydon Ltd

Remedy Hearing

Heard at: Bury St Edmunds by Video

On: 3 and 4 July 2024

Before: Employment Judge Boyes (Sitting Alone)

Representation

Claimant: In Person

Respondent: Mrs Rose Claydon, Director

JUDGMENT on REMEDY

1. There is no order for reinstatement of reengagement.
2. The Respondent shall pay compensation to the Claimant for unfair dismissal of £34,306.74 made up as follows:
 - a. A basic award of £2838.48
 - b. A compensatory award of £31,468.26 [less any reduction for income tax and national insurance contributions due on the sum awarded for lost pension contributions [£1577.79] which has been awarded as a gross sum -see * below]
3. The recoupment provisions do not apply.

Calculation of Award

Gross salary per annum: £24,600

Gross weekly pay: £473.08

Net weekly pay: £384.89

Dates of employment: 1/6/2018 -23/2/2023

Date of birth:16/7/1971

Age at time of dismissal: 51 years

Unfair dismissal

A. BASIC AWARD

6 Week's pay (4 weeks x 1.5) x £473.08 = £2838.48

Total Basic Award: £2838.48 [A]

B. COMPENSATORY AWARD

Immediate Loss (loss of wages (net) from dismissal to date of remedy judgment)

£384.89 per week from 24/2/2024 to 4/6/2024 (66 weeks 5 days): = £25,677.66

Less net sums earned between 24/2/2024 to 4/6/2024 and the sum paid by Respondent for period 24/2/23 to 28/2/23 (80.04 +173.93 +283.85 +14.19): £588.01

Immediate Loss =£25,677.66-£588.01 = **£25,089.65**

a Future Loss of earnings (loss of wages (net) from date of remedy judgment for 12 weeks): £384.89 x 12 = **£4618.68**

b Loss of employer's pension contributions (from date of dismissal to date of remedy hearing only) (Respondent paid £23.65 per week: **£1577.79 gross***

**The sum awarded for loss of employer pension contributions is awarded gross and so is subject to any income tax and national insurance due on that sum which is to be deducted by the Respondent*

c. Loss of statutory rights - £500

Total (a) +(b) + (c) = **£6696.47**

Total Compensatory Award before adjustments =£31,786.12

Breach of ACAS code -10% increase - £3178.61 = £34,964.73

Polkey reduction: 0%

Reduction for Contributory Fault- 10% reduction - £3496.47 = £31,468.25

Total Compensatory Award after Adjustments=£31,468.26 [B]

Grand total A + B = £34,306.74

**Employment Judge Boyes
Date: 10 June 2024**

Judgment Sent to The Parties On
22 July 2024

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J Moossavi

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FOR EMPLOYMENT TRIBUNALS

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