



EMPLOYMENT TRIBUNALS

Claimant: Paul Gregory

Respondent: P&O Ferries Limited

Heard at: Croydon by CVP

On: 13 January 2025

Before: Employment Judge Ord

Representation:

Claimant: Frank Macklin (Lay Representative)

Respondent: Matthew Bignell (Counsel)

REMEDY JUDGMENT

- 1- The respondent is ordered to pay the claimant compensation for unfair dismissal in the sum of £40,807.88, to be stayed until the outcome of the respondent's appeal to the employment appeal tribunal is known.
- 2- The respondent will communicate the outcome of the appeal to the employment tribunal within 7 days of having knowledge of it.
- 3- If the appeal is unsuccessful, the respondent will pay to the claimant the sums due within 14 days of knowledge of the outcome, subject to recoupment provisions.

The parties agree the following calculation:

Basic Award	Parties agree the sum	£18,325.50
Compensatory Award Loss of earnings and pension contributions Periods: 10.6.23 – 31.8.23 1.9.23 – 15.3.24 (28 weeks)	Parties agree £7,037.88 $586.49 \times 28 = £16,421.72$ Minus pay from CSU of £9,332.43 Loss = £7,089.29 HMH	

16.3.24 – 30.9.24 (28 weeks)	586.49 x 28 = £16,421.72 Minus pay from of £14,742.25 Loss = £1,679.47	
Total compensatory loss	£15,806.64	
Loss of statutory rights	Parties agree sum of £450.00	
ACAS uplift @ 25%	On £16,256.64 (15,806.64 + 450) = £4,064.16	
Total compensatory award before gross up	£20,320.80 (compensatory) (16,256.64 + 4,064.16)	£20,320.80
Gross up relevant amount over £30,000. Assume 20% tax.	Total award before gross up: £20,320.80 (compensatory) Plus £18,325.50 (basic) =£38,646.30 Take off basic award from £30,000 Leaves £11,674.50 tax free compensatory award. Gross up remainder: £8,646.30 (20,320.80 – 11,674.50)	
Additional grossed up amount	8,646.30/80 x 100 = £10,807.88 Therefore, add £2,161.58 to total Award = £40,807.88	£2,161.58
Grand total		£40,807.88

For the purposes of regulation 4 of the Employment Protection (Recoupment of Benefits) Regulations 1996:

Prescribed element: £22,032.38 (22,482.38 – 450)
(wages only)

Prescribed period: 10 June 2023 to 30 September 2024

Total monetary award: £40,807.88

Excess of total monetary award over prescribed element: £18,775.50

Employment Judge Liz Ord

Date 13 January 2025

Notes

1. 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. If written reasons are provided, they will be displayed on the tribunal's online register of judgments, which is visible to internet searches.