



EMPLOYMENT TRIBUNALS

Claimant: Mr Edson Mateus

Respondent: Pura Cleaning Ltd (In Liquidation)

Heard at: Leeds

On: 9 October 2017

Before: Employment Judge Bright (sitting alone)

Representation

Claimant: In person

Respondent: Not in attendance

JUDGMENT

The claimant was unfairly dismissed. The respondent shall pay to the claimant compensation of £5,992.35, calculated according to Table A below and including a 25% uplift for a failure to follow the ACAS Code.

The claimant was wrongfully dismissed. The respondent shall pay to the claimant damages for breach of contract of £384.60 net of tax.

The respondent failed to pay the claimant in respect of holiday accrued but untaken on termination of employment. The respondent shall pay to the claimant compensation of £82.69 net of tax.

The Recoupment Regulations apply as follows:

Grand total	£6,459.64
Prescribed element	£3,076.80
Period of prescribed element from 25.01.2017 to 18.06.2017	
Excess of grand total over prescribed element	£3,382.84

TABLE A

Basic award		
Length of service	2 years	
Age at termination	39	
Gross weekly wage	£192.30	
2 years x £192.30 per week		£384.60

Compensatory award		
Weeks until new job (pay £150 per week)	16 weeks	
Net weekly wage	£192.30	
16 x £192.30		£3,076.80
Date of new job	18.06.17	
Net weekly wage in new job	£150	
Loss per week £192.30 - £150	£42.30	
Estimated future loss 34 weeks x £42.30		£1,438.20
ACAS uplift x 25%	£4,515.00 x 25%	£1,128.75
Total unfair dismissal compensation		<u>£6,509.10</u>
Holiday pay		
Part of holiday year expired	4 weeks	
Total annual entitlement	5.6 weeks	
Weekly wage	£192.30	
$5.6 / 52 \times 4 = 0.43$		
$0.43 \times £192.30$		<u>£82.69</u>

Employment Judge Bright

Dated 11 October 2017