



EMPLOYMENT TRIBUNALS

Claimant: Mrs D Woodman

Respondent: AGLC Limited

Heard at: Leeds via CVP

On: 4th August 2023

Before: Employment Judge Moxon

Representation

Claimant: In person

Respondent: Mr Cameron

JUDGMENT

UPON the claimant's complaint of unfair dismissal under the Employment Rights Act 1996:

1. The claimant was unfairly dismissed by the Respondent.

Remedy

Basic award

2. The respondent shall pay a basic award of **£396**, calculated as follows:

Gross weekly wage: £264

The claimant was entitled to a basic award amounting of 4.5 weeks' wages on account of her length of service and age

$4.5 \times £264 = £1,188$

However, £792 paid as redundancy payment must be deducted to avoid double counting

$£1,188 - £792 = £396$

Compensatory award

3. The respondent shall pay a compensatory award of **£487.87**, calculated as follows:

Applying the principles in *Polkey v AE Dayton Services Limited*, the claimant would have been dismissed by reason of redundancy had a fair procedure been followed by the respondent. It would have taken an additional period of two weeks for such a process to be followed. The compensatory award is therefore limited to two week's pay to reflect the fact that the claimant would have been fairly dismissed after two weeks

Net weekly wage: £243.92

2 x £243.92 = £487.87

Total

4. The respondent shall pay the basic and compensatory awards to the claimant in the aggregate sum of **£883.87** (£396 + 487.87)

Employment Judge **Moxon**

Date: 4th August 2023

Note

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.