



EMPLOYMENT TRIBUNALS

Claimant: Ms M Carter

Respondent: Greenio Limited

Heard at: Nottingham **On:** 4 July, 16 September 2024

Before: Employment Judge McTigue

Representation

Claimant: Mr Price-Rowlands of Counsel

Respondent: Mr D Patel of Counsel, on 4 July 2024

Mr R O'Keefe of Counsel, on 17 September 2024

JUDGMENT

1. The complaint of breach of contract in relation to notice pay is well-founded.
2. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
3. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by 20 % in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. The respondent shall pay the claimant the following sums within 28 days of the date of this judgment:
 - (a) A basic award of **£1,500**.
 - (b) A compensatory award of **£14,278.68**.

Note that these are actual the sums payable to the claimant after any deductions or uplifts have been applied.

5. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply:
- a. The total monetary award (i.e. the compensatory award plus basic award) payable to the claimant for unfair dismissal is £15,778.68
 - b. The prescribed element is £14,914.68 (i.e. the compensatory award less £500 awarded for loss of statutory rights and £364 for loss of pension).
 - c. The period of the prescribed element is from 12 December 2023 to 17 September 2024.
 - d. The excess of the total monetary award over the prescribed element is £864.

Employment Judge McTigue

Date 16 September 2024

JUDGMENT SENT TO THE PARTIES ON

.....17 September 2024.....

FOR THE TRIBUNAL OFFICE

Notes

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.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>