



# EMPLOYMENT TRIBUNALS

**Claimant:** Hugh Frazer

**Respondent:** Bangor City Football Club Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claimant was unfairly dismissed by the respondent. The respondent is ordered to pay the claimant **£25,275.36** compensation for unfair dismissal.
2. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this compensation.
3. The claimant is entitled to interest calculated at 8% per annum on any amount of this compensation that remains unpaid 14 days after the date of this judgment (per *Employment Tribunals (Interest) Order 2013 Art 3*)

---

Employment Judge Howden-Evans  
Date: 3<sup>rd</sup> May 2019

JUDGMENT SENT TO THE PARTIES ON

.....12 May 2019.....  
AND ENTERED IN THE REGISTER  
FOR THE OFFICE

### Appendix: Calculations

The claimant was 53 at the date of dismissal and had been employed by the respondent for over 20 years. His gross weekly pay was £316.85 and his net weekly pay was £280.51. He has not found

alternative employment, and it is likely to take him a further 12 months to establish a self-employed gardening business.

**Basic Award for Unfair Dismissal**

8 years' service x 1 x £316.85 =	£2,534.80
12 years' service x 1.5 (age factor) x £316.85 =	<u>£5,703.30</u>
	<b>£8,238.10</b>

**Compensatory award**

**Loss of Earnings:**

**1. From dismissal until this judgment**

(16/11/2018 to 3/5/2019)

24 weeks x £280.51 = £6,732.24

**2. Future loss of earnings**

52 weeks x £280.51 £14,586.52

£21,318.76

**Loss of statutory rights**

£300.00

£21,618.76

**Failure to comply with ACAS Code of Practice**

(25% of £21,618.76)

£5,404.69

**Failure to provide written reasons for dismissal**

(s92 Employment Rights Act 1996)

2 weeks x £280.51

£561.02

£27,584.47

**S124 (1ZA) Employment Rights Act 1996 statutory cap applied – compensatory award limited to 52 weeks' gross pay – ie limited to £16,476.24**

**Failure to allow accompaniment**

(S10 Employment Relations Act 1999)

2 weeks x £280.51

£561.02

**Total Award for Unfair Dismissal**

(£8,238.10 & £16,476.24 & £561.02)

**£25,275.36**