



EMPLOYMENT TRIBUNALS

Claimant: Mr N Pugh

Respondent: Any Colour Coatings Limited

By: VHS **On:** 20 May 2022

Before: Employment Judge Craft

Representation

Claimant: Mr E Stenson, Counsel

Respondent: No attendance

JUDGMENT ON REMEDY **following promulgation of a Default Judgment**

1. The Respondent presented no Response to the Claimant's claims in these proceedings. On 15 March 2022 the parties were notified that a Default Judgment within the terms of Rule 21 of The Employment Tribunals Rules of Procedure 2013 had been promulgated with remedies to be quantified at this hearing. These have been determined by the Tribunal as follows.
2. The Claimant was unfairly dismissed by the Respondent for which the Respondent shall pay the Claimant a basic award of **£5,791.50** which shall be uplifted by a further **£1,447.88** for the Respondent's failure to follow Acas Code of Practice 1. The total of this award is **£7239.38**.
3. The Respondent shall pay damages to the Claimant in the sum of **£3,228** which shall be uplifted by the sum of **£832** for the Respondent's failure to follow the Acas Code of Practice 1 for its failure to pay the Claimant monies in lieu of notice due to him on its summary termination of his employment. The total of this award is **£4,060**.
4. The Respondent directly discriminated against the Claimant by reason of his disability and the Claimant is awarded the sum of **£7,500** for injury to feelings which shall be increased by a sum of **£1,875** for the Respondent's failure to follow the Acas Code of Practice 1 and interest on that award of **£928.77**. The total of this award is **£10,303.77**.
5. The Respondent shall pay the Claimant the sum of **£772.20** for its unlawful deduction of wages from the Claimant for the period from 1 – 11 October

2021.

6. The Respondent shall pay the sum of **£3,397.68** to the Claimant for accrued holiday pay due to him and unpaid by the Respondent for holiday years 2020 and 2021.
7. The Recoupment Regulations do not apply to any of these awards.

Employment Judge Craft
Date: 27 June 2022

Judgment sent to the parties: 15 June 2022

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, 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.