



EMPLOYMENT TRIBUNALS

Claimant: Mr C Miller

Respondent: Nicholas Associates Group Limited

HELD by CVP

ON: 23 and 24 February 2021

BEFORE: Employment Judge Brain

Members: Mr P R Kent
Mrs J Rathbone

REPRESENTATION

Claimant: Mr T Auckland, Friend

Respondent: Miss J Barnett, Consultant

JUDGMENT

The Judgment of the Employment Tribunal is that:

1. Upon the claimant's complaint of unfair dismissal:

1.1. The complaint was presented outside of the limitation period provided for in section 111 of the Employment Rights Act 1996 in circumstances in which it was not reasonably practicable to have presented the claim in time. The claim was presented within a reasonable time.

1.2. The respondent dismissed the claimant because of redundancy.

1.3. The respondent unfairly dismissed the claimant.

1.4. Remedy

(a) Pursuant to section 122(4) of the 1996 Act, no basic award is payable, the respondent having made a redundancy payment to the claimant;

(b) The respondent shall make a payment of £4809.72 to the claimant by way of compensatory award calculated as follows:

(i)	19 March 2020 to 23 April 2020 –	nil;
(ii)	24 April 2020 to 11 June 2020 – 7 weeks' loss at £370.80 per week -	£2595.60;
(iii)	Loss of employer's pension contribution at £13.26 per week over the period in (ii) -	£92.82;
(iv)	12 June 2020 to 24 February 2021 – 36 weeks' loss at £26.15 per week -	£941.40;
(v)	Future loss of earnings- 26 weeks' loss at £26.15 per week	£679.90;
(vi)	Loss of statutory rights -	£500.00;
		Total £4809.72

2. Upon the claimant's complaints brought pursuant to the Equality Act 2010:
 - 2.1. The complaints of direct discrimination upon the grounds of sex and sexual orientation were presented within the limitation period provided for in section 123 of the 2010 Act.
 - 2.2. The complaint of direct discrimination upon the grounds of sexual orientation is dismissed upon the withdrawal of the complaint.
 - 2.3. The complaint of direct discrimination upon the grounds of sex fails and stands dismissed.
3. The respondent shall pay to the claimant the sum of **£4809.72** on or before **12 March 2021**.

Employment Judge Brain

Date _____

JUDGMENT SENT TO THE PARTIES ON
DATE: 13 March 2021

DATE: 18 March 2021

Note - 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

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