



EMPLOYMENT TRIBUNALS

BETWEEN
AND

Claimant
(1) Mr P Jones
(2) Mr R Livingstone

Respondent
OSL Rail Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Newcastle-under-Lyme ON 29 & 30 April 2019

EMPLOYMENT JUDGE GASKELL

Representation

For the Claimant (1): In Person
(2): In Person
For Respondent: Mr B Hendley (Employment Consultant)

JUDGMENT

The judgment of the tribunal is that:

Mr P Jones: Case Number 1304479/2018

1 The claimant Mr P Jones was unfairly dismissed by the respondent and is entitled to an award of compensation in the sum of £31,462.50 calculated as follows: -

Basic Award:	£ 3937.50
Compensatory Award:	
Past & Future Loss of Earnings	£27000.00
Loss of Statutory Rights	£ 525.00
Total	£31462.50

Mr R Livingstone: Case Number 1304483/2018

2 The claimant Mr R Livingstone was unfairly dismissed by the respondent and is entitled to an award of compensation in the sum of £19689.36 calculated as follows: -

Basic Award:	£ 3150.00
Compensatory Award:	
Past & Future Loss of Earnings	£16014.36
Loss of Statutory Rights	£ 525.00
Total	£19689.36

3 The provisions of the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 (as amended) apply to Mr Livingstone's award.

- (a) The amount of the monetary award is £19689.36
- (b) The amount of the prescribed element is £13171.86
- (c) The dated of the period to which the prescribed element is attributable are 24 October 2018 to 30 April 2019
- (d) The amount by which the monetary award exceeds the prescribed element is £6517.50.

Employment Judge Gaskell
8 May 2019