Stuart Peters Ltd v Bell

Earnings during notice period not offset in constructive dismissal awards

A constructively and unfairly dismissed employee earned money during what would have been her notice period of six months by doing temporary work. The EAT held that the principle established in *Norton Tool Company Ltd v Tewson* applied just as much to a constructive dismissal as it did to an actual dismissal. Consequently, the employee was entitled to compensation for the whole notice period. No credit had to be given to wages earned from a new job.

Case ref UKEAT/0272/08

◆ **Charles Wynn-Evans, Dechert**