



EMPLOYMENT TRIBUNALS

Claimant: Mr G Marshall

Respondent: (1) Mr M J O'Grady
(2) The Peartree Country Inn Ltd

Heard at: Southampton

On: 27 January 2017

Before: Employment Judge Bridges

Representation

Claimant: In Person

Respondents: Mr O'Grady

JUDGMENT

1. The claimant was unfairly dismissed within the meaning of Regulation 7(1) of the TUPE Regulations 2006 (TUPE).
2. The respondent is ordered to pay the claimant a basic award of £3,675.00 and a compensatory award of £428 making a total award for unfair dismissal of £4,103.00
3. The Recoupment Regulations do not apply.
4. The claimant's claim for damages for breach of a contract of employment for notice monies succeeds and the respondent is ordered to pay the claimant £1,800.00 net.
5. The respondent failed to comply with the ACAS Code of Practice in relation to the above complaints and is ordered to pay the claimant an uplift of 10% on the above awards in the sum of £590.30.
6. The claimant's claim for a statutory redundancy payment fails and is dismissed.
7. The respondent is ordered to pay the claimant's Tribunal fees of £650.

Employment Judge Bridges

Date 27 January 2017

JUDGMENT SENT TO THE PARTIES ON

21 February 2017
FOR THE TRIBUNAL OFFICE

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.