



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms M Gladysz

**Respondent:** MMKM Ltd

**Heard at:** East London Hearing Centre      **On:** 22 & 23 February 2018

**Before:** Employment Judge Scott      **Members:** Mr Ross  
Ms Conwell-Tillotson

## Representation

**Claimant:** Mr Soszynski (Lay Representative)

**Respondent:** Mr Dymitruk (Respondent's Company Director)

## JUDGMENT

1. The Claimant's claims of unfair and wrongful dismissal succeed.
2. The compensatory award payable to the Claimant is reduced by 75% to reflect the chance that the Claimant would have been fairly dismissed in any event.
3. It is just and equitable to increase the compensatory award payable to the Claimant by 25% by reason of the Respondent's unreasonable failure to follow the ACAS Code of Practice on Disciplinary & Grievance Procedures.
4. The Claimant contributed to her dismissal and it is just and equitable to reduce the basic and compensatory awards payable to the Claimant by 50%.
5. The Claimant is awarded:
  - a. Basic Award: £120.00
  - b. Compensatory Award: £412.50
6. The Claimant is awarded £350.00 to reflect loss of statutory rights.
7. The Claimant's claim of unlawful deduction from wages properly payable succeeds and the Claimant is awarded compensation in the sum of £1,255.00 (SSP (£445.00) and unpaid wages (£810.00)).
8. The Claimant is awarded £120.00 as a payment in lieu of accrued but untaken leave.
9. The Respondent shall pay the Claimant forthwith the sum of **£2257.50**.
10. The recoupment provisions do not apply.

Employment Judge Scott

23 February 2018