



EMPLOYMENT TRIBUNALS

Claimants: Mr T Diggle
Miss L Diggle

Respondent: JJ Diggle Limited

HELD AT: Liverpool **ON:** 22 February 2018
23 February 2018

BEFORE: Employment Judge Rice Birchall

REPRESENTATION:

Claimants: Miss Jones, Counsel
Respondent: Mr Flynn, Counsel

JUDGMENT

The judgment of the Tribunal is that:

1. The first claimant was constructively dismissed by the respondent.
2. The second claimant was not constructively dismissed by the respondent. Her claim fails and is dismissed.
3. The first claimant was wrongfully dismissed by the respondent and is awarded £782.02 (net) for breach of his contract of employment.
4. The first claimant was unfairly dismissed by the respondent. He is awarded no compensation for unfair dismissal (either basic award or compensatory award) as he contributed to his dismissal by 100%.

5. The respondent has failed to pay the claimant holiday pay to which he is entitled and is ordered, by consent, to pay to the claimant the sum of £606.45 (net).

Employment Judge Rice Birchall

28 February 2018

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.

[JE]