



EMPLOYMENT TRIBUNALS

Claimant: Mrs. T. Maloney

Respondent: Rydal Penrhos Ltd

HELD AT: Mold **ON:** 7th February 2019

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimant: Mrs Maloney represented herself

Respondent: Mr. K. McNerney, Counsel

JUDGMENT

The judgment of the Tribunal is that:

- 1 The claimant's claim that the respondent breached her contract of employment regarding pension's payments due to her is dismissed on withdrawal;
- 2 The respondent did not breach the claimant's contract regarding notice of termination; this claim fails and is dismissed.
- 3 The claimant was unfairly dismissed by the respondent on 30 September 2017 for a reason related to her conduct, but it was unfair only in relation to the convening, and concluding, of an appeal hearing;
- 4 The tribunal considered that it would be just and equitable to reduce the claimant's basic award to nil because of the claimant's conduct before dismissal; to reflect the expectation that the claimant's appeal would be rejected and the decision to dismiss upheld, and the extent to which the dismissal was caused or contributed to by the action of the claimant, the tribunal considered it just and equitable to award her two week's net pay in the sum of £456.92, which figure was agreed by the parties to accurately amount to two week's net pay. I heard no evidence on remedy and the recoupment provisions do not apply.

Employment Judge T.V. Ryan

Date: 07.02.19

JUDGMENT SENT TO THE PARTIES ON

16 February 2019

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.