



EMPLOYMENT TRIBUNALS

Claimant: Mr. E. Schjoren

Respondent: Jones Balers Farms Ltd

HELD AT: Caernarfon

ON: 11 & 12 February
2019

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimant: The claimant represented himself

Respondent: Mr A Roberts, solicitor

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant was unfairly dismissed by the respondent for a reason related to conduct on 22nd March 2018; the claimant's claim of unfair dismissal is well-established and succeeds;
2. The claimant's claim that his dismissal was automatically unfair as the reason, or if more than one the principal reason, was related to issues of health and safety or was that he had made a public interest disclosure is not well-founded, fails and is dismissed;
3. It would be just and equitable to reduce any Basic Award by 50% in accordance with s.122 (2) Employment Rights Act 1996;
4. Such was the risk facing the claimant of his being fairly dismissed that any Compensatory Award shall be reduced by 70% to reflect that risk;
5. It would be just and equitable to further reduce the claimant's Compensatory Award by 50% in accordance with s.123 (6) Employment Rights Act 1996.
6. Upon announcement of judgment the parties agreed terms of settlement (set out in a signed memorandum of their own making, full details of which were not given to the tribunal) including that the respondent shall pay to the

claimant £6,500 in full and final settlement of this claim within 14 days of today's date. The tribunal did not hear evidence on remedy and did not make an award; the recoupment provisions do not apply.

Employment Judge T.V. Ryan

Date: 12.02.19

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 or a written request is presented by either party within 14 days of the sending of this written record of the decision. The respondent withdrew its oral request for written reasons at the hearing. **Any judgment, with or without full written reasons, will be published on-line.**