



THE EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Mr J Marrin

Respondent

Witton Castle Country Park
Limited

AND

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: Middlesbrough

On: 19 – 23 February 2018 inclusive

Before: Employment Judge Morris (sitting alone)

Appearances

For the Claimant: In Person

For the Respondent: Mr G Bealey, Consultant

JUDGMENT

The judgment of the Employment Tribunal is as follows:-

1) The claimant's resignation from his employment with the respondent was not in circumstances in which he was entitled to terminate his contract of employment without notice by reason of the respondent's conduct (as is provided for in Section 95(1)(c) of the Employment Rights Act 1996 ("the 1996 Act")) and, as such, he was not dismissed by the respondent. His complaint that he was unfairly dismissed by the respondent contrary to Sections 94 and 98 of the 1996 Act is, therefore, not well-founded and is dismissed.

2) The claimants monetary claims in respect of commission and bonus that he asserts are due to him are not well-founded and are dismissed; whether brought as contract claims or by reference to Part 2 of the 1996 Act.

EMPLOYMENT JUDGE MORRIS

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON
7 March 2018**