



THE EMPLOYMENT TRIBUNAL

SITTING AT: SOUTHAMPTON

BEFORE: EMPLOYMENT JUDGE EMERTON (sitting alone)

BETWEEN: Mr A Mani Claimant

AND

AD Metal Spinners Ltd Respondent

ON: 1-2 May 2019

APPEARANCES:

For the Claimant: In person

For the Respondent: Mr J Gilbert (Litigation Consultant)

JUDGMENT

1. The claim of wrongful dismissal is not well founded.
2. The claim of unfair dismissal is well founded.
3. The claimant is entitled to a basic award for unfair dismissal. He would normally be entitled to a basic award of £1,020.00, but this is reduced by 50% by virtue of section 122(2) of the Employment Rights Act 1996. The tribunal therefore declares that the claimant is entitled to a basic award of £510.00.
4. The tribunal orders the respondent to pay the claimant a compensatory award for unfair dismissal of £640.00. This is made up as follows:
 - a. £350.00 is awarded for loss of statutory rights.
 - b. Loss of earnings of £290.00 representing one week's net wages, on the basis that if a fair procedure had been followed, the claimant could have been fairly dismissed within approximately

one week. No compensation falls to be paid for further loss of earnings.

5. The claim for unpaid holiday pay, outstanding at termination, is well founded.
6. The tribunal orders the respondent to pay the claimant £238.00 as compensation for outstanding holiday pay.
7. The sum ordered in paragraph 6 above is ordered gross, and may be liable for lawful deductions for tax and national insurance.

Employment Judge Emerton

Date 2 May 2019