



EMPLOYMENT TRIBUNALS

Claimant: Mrs J Fearon

Respondent: Medway Council

Heard at: London South Employment Tribunal

On: 19-20 September 2019

Before: Employment Judge Ferguson (sitting alone)

Representation

Claimant: Mr S Liberadzki (counsel)

Respondent: Mr D Patel (counsel)

JUDGMENT

It is the judgment of the Tribunal that:

1. The Claimant's complaint of unfair dismissal succeeds.
2. The Claimant's complaint of wrongful dismissal is dismissed upon withdrawal.
3. The remedy to which the Claimant is entitled will be determined at a remedy hearing to be listed with a time estimate of three hours.
4. The following findings are made in respect of the compensatory award:
 - a. The Respondent's argument that the Claimant would, but for her unfair dismissal, have moved to part-time work at some point before retirement is rejected.
 - b. There shall be no adjustment(s) under s.124A of the Employment Rights Act 1996.

5. Any application(s) for costs may be made at the remedy hearing or in writing at any time before the remedy hearing.

Employment Judge Ferguson

Date: 23 September 2019

Notes

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.

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