



Case Number: 2204683/2018

EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondents

Mr Y N'Guessan

Croma Vigilant (Scotland) Ltd

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

SITTING AT: London Central

ON: 3 February 2020

BEFORE: Employment Judge A M Snelson

On hearing Mr J Mann, lay representative, on behalf of the Claimant and Mr R Chaudhry, solicitor, on behalf of the Respondents, it is adjudged that:

- (1) By consent, the Claimant's complaint of unfair dismissal is well-founded.
- (2) On the Claimant's claims for remedies in respect of unfair dismissal, the Respondents are ordered to:
 - (a) reinstate the Claimant on or before 28 February 2020; and
 - (b) pay to the Claimant on reinstatement back pay calculated as all sums he would have received but for the dismissal between the date of dismissal (28 December 2017) and 28 February 2020, or the date of reinstatement if earlier, less:
 - (i) any payment received from the Respondents in that period in respect of annual leave entitlement accrued up to the date of dismissal;
 - (ii) income received from any third party;
 - (iii) any relevant state benefit.
- (3) The Claimant is not entitled to claim pursuant to the Trade Union & Labour Relations Act 1992, s207A(2) an enhancement of the sum referred to in para (5)(b).
- (4) No later than 13 March 2020 the parties shall complete the process of disclosure of documents relevant to remedy by serving on one another copies of all disclosable documents not already served.
- (5) The parties shall co-operate to agree a bundle of documents for use at the hearing referred to below ('the hearing'), primary responsibility for its preparation resting with the Respondents. The bundle shall be finalised no later than 27 March 2020 and one copy served at once on the Claimant's representative. At the hearing the Respondents shall provide three copies of the bundle for the Tribunal's use.

- (6) The parties shall exchange copies of witness statements in the names of all witnesses (if any) whom they intend to call to give evidence at the hearing and bring to the hearing three copies of each for the Tribunal's use.
- (7) If he intends to apply at the hearing for a costs/preparation time order, the Claimant shall, no later than 27 March 2020 deliver such application to the Tribunal with a copy to the Respondents' representative.
- (8) Any and all outstanding remedy issue and any costs/preparation time issue shall be determined at a hearing at 10.00 a.m. on 3 April 2020, with one sitting day allocated.

EMPLOYMENT JUDGE – Snelson
4th Feb 2020

Judgment entered in the Register and copies sent to the parties on 04/02/2020

..... for Office of the Tribunals