



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Polley

**First Respondent:** Swami Retail Ltd

**Second Respondent:** Mr S Patel

**Heard at:** Southampton

**On:** 6 February 2020

**Before:** Employment Judge Craft

## Representation

Claimant: Himself

Respondents: Mr S Patel, Director

## JUDGMENT

1. The claims against the Second Respondent are dismissed upon their withdrawal by the Claimant.
2. The Claimant was unfairly dismissed. The Claimant terminated his contracted of employment with the First Respondent in circumstances in which he was entitled to terminate it without notice by reason of the employer's conduct within the terms of s.95(c) Employment Rights Act 1996.
3. The First Respondent shall pay the following compensation for dismissing the Claimant unfairly:
  - a. A Basic Award: £1,642.00.
  - b. A Compensatory Award of £1,171.00: comprising compensation for loss of statutory rights of £350.00 and compensation for loss of earnings of £821.00.

The Recoupment Regulations do not apply to this compensation award of £1,171.00.
4. The First Respondent shall pay the Claimant the sum of £385.87 for unpaid wages due to the Claimant.
5. The First Respondent shall pay the Claimant the sum of £492.60 for unpaid holiday pay due to the Claimant.

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Employment Judge Craft

Date: 17 February 2020

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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.