



EMPLOYMENT TRIBUNALS

Claimant: Mrs H M Walkinshaw
Respondent: Brookes Jordan Limited
Heard at: Leicester
On: 24 and 25 February 2020
Before: Employment Judge Ahmed (sitting alone)

Representation

Claimant: Mr M Anastasiades, Solicitor
Respondent: Mr P Clarke, Consultant

JUDGMENT

The Employment Tribunal Judge gave judgment as follows:-

1. The Claimant was dismissed in breach of contract.
2. The Claimant was also unfairly dismissed but applying a **Polkey** reduction (**Polkey v A E Dayton Services Limited** [1987] IRLR 503) there was a 75% chance of the Claimant being dismissed fairly in any event. The compensatory award shall therefore be reduced by 75%.
3. The issue of remedy is agreed. The Respondent shall pay to the Claimant compensation for unfair dismissal and damages for breach of contract of £7,270.25 net.
4. The Recoupment Regulations do not apply.

Employment Judge Ahmed

Date: 5 March 2020

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.