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EMPLOYMENT TRIBUNALS

Claimant: Mr C Walters
Respondent: St Paul's Group YMCA
Heard at: East London Hearing Centre
On: 28 February 2020
Before: Employment Judge Gardiner

Representation

Claimant: In person
Respondent: Ms L Millin of Counsel

JUDGMENT

The judgment of the Tribunal is that:-

1. The unfair dismissal claim brought under Section 94 of the Employment Rights Act 1996 is well founded and succeeds.
2. The remedy for unfair dismissal is as follows:
 - a. **Basic award:** The statutory calculation is $5 \times £127.85 \times 1 = £639.25$. This sum falls to be reduced by 70% for contributory fault, and the Claimant is therefore awarded **£191.78**.
 - b. **Compensatory award: £0.** The Respondent would certainly have dismissed the Claimant in any event had it followed a fair procedure, there is a 100% reduction under the principle of *Polkey v A E Dayton Services Limited*, and therefore no contributory award. The basic award falls to be reduced by 70%.
3. The wrongful dismissal claim for notice pay is well founded and succeeds. The Claimant is entitled to 5 weeks gross pay in the agreed sum of **£639.25**.

Employment Judge Gardiner

2 March 2020