



EMPLOYMENT TRIBUNALS

Claimant: Mr C McGarry

Respondent: Able Skip Hire Limited

Heard at: Manchester via CVP

On: 2 November 2020

Before: Employment Judge Sharkett
(sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Mr B Johnstone

JUDGMENT

1. The claimant's claim for unfair dismissal is well founded and succeeds
2. Polkey applies to the extent of 100%
3. The claimant contributed to his own dismissal by his culpable and blameworthy conduct to the extent of 100%
4. The claimant's claim for payment in lieu of holiday accrued but not taken at the date of dismissal is not well founded and is dismissed.
5. The claimant's claim that he was not issued with a written statement of employment particulars is not well founded.
6. The respondent was entitled to dismiss the claimant without notice or payment in lieu of notice and his claim of wrongful dismissal is not well founded and is dismissed.

Employment Judge Sharkett

Date: 2 November 2020

JUDGMENT SENT TO THE PARTIES ON
10 November 2020

FOR THE TRIBUNAL OFFICE

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.