



EMPLOYMENT TRIBUNALS

Claimant: Mr C Woosnam

Respondent: H V Bowen and Sons (Quarry) Limited)

Heard at: Cardiff (CVP)

On: 8 February 2021

Before: Employment Judge R Evans

Representation

Claimant: Mr R Hanratty (Solicitor)

Respondent: Mr R Santy (Solicitor)

JUDGMENT

1. The Claimant's complaint of unfair dismissal is well founded and succeeds.
2. There is:
 - a. a 100% deduction to the compensatory award pursuant to the principles in *Polkey v. AE Dayton Services Ltd* [1987] UKHL 8; and
 - b. a deduction of 100% to the basic and compensatory awards pursuant to *sections 122(2) and 123(6) Employment Rights Act (ERA) 1996* owing to the Claimant having contributed to his dismissal.
3. The Claimant's complaint of wrongful dismissal/breach of contract (notice pay) is not well-founded and is dismissed.
4. This judgment was made and took effect on 8 February 2021.

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Signed by Employment Judge R Evans

8 February 2021

JUDGMENT SENT TO THE PARTIES ON 11 February 2021

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FOR THE TRIBUNAL OFFICE Mr N Roche

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.

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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.