



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr. A. Quin

**Respondent:** Secureahome PVCU Ltd

**HELD BY:** CVP **ON:** 28<sup>th</sup> – 29<sup>th</sup> June 2021

**BEFORE:** Employment Judge T. Vincent Ryan  
Ms. M. Humphries  
Mr. P. Bradney

## REPRESENTATION:

**Claimant:** Ms. N. Webber, Counsel

**Respondent:** Mr. J. Jenkins, Managing Director

# JUDGMENT

The judgment of the Tribunal is:

1. The claimant's following claims are well-founded and succeed:
  - 1.1 The claimant was unfairly dismissed by the respondent on 15<sup>th</sup> August 2020;
  - 1.2 The respondent wrongfully dismissed the claimant on 15<sup>th</sup> August 2020, that is it dismissed him in breach of contract in relation to notice of termination;
  - 1.3 The respondent breached the claimant's contract with regard to the payment of contractual commissions during the period 23<sup>rd</sup> March – 15<sup>th</sup> August 2021;
  - 1.4 The respondent made unauthorised deductions from the claimant's wages during the period 23<sup>rd</sup> March – 15<sup>th</sup> August 2021;
  - 1.5 The respondent failed to pay to the claimant holiday pay in respect of 5 days holidays accrued but untaken at the date of his dismissal;

- 1.6 The respondent failed to provide the claimant with written employment particulars;
- 1.7 The respondent subjected the claimant to the following detriments on the ground that he sought to exercise his right to be accompanied at a grievance and/or disciplinary hearing:
  - 1.7.1 He was denied a disciplinary hearing prior to the decision to dismiss him;
  - 1.7.2 He was denied the opportunity to take part in a disciplinary process prior to his dismissal;
  - 1.7.3 He was denied the opportunity of resolving his grievances;
  - 1.7.4 He was denied the opportunity to appeal his dismissal.
- 2 The principal reason that the claimant was dismissed was his non-attendance at work on 15<sup>th</sup> August 2020 as demanded by the respondent, and not his assertion of statutory rights; his claim of automatic unfair dismissal fails and is dismissed.

Employment Judge T.V. Ryan

Date: 29.06.21

JUDGMENT SENT TO THE PARTIES ON 20 June 2021

FOR THE TRIBUNAL OFFICE Mr N Roche

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.