



EMPLOYMENT TRIBUNALS

Claimant: I Adebisi

Respondent: Danny Sullivan and Sons Ltd

Held at: London South Employment Tribunal by video hearing

On: 2 and 9 November 2021

Before: Employment Judge L Burge

Representation

Claimant: K Clair and Mr Eteko, Solicitors

Respondent: R Davey, Solicitor

JUDGMENT

1. The correct name of the Respondent is Danny Sullivan and Sons Ltd.
2. The Claimant's application to amend his claim to include claims for unpaid holiday pay and furlough pay is refused.
3. The claim of unfair dismissal is well founded and succeeds.
4. The claim of wrongful dismissal is not well founded and is dismissed.
5. It is just and equitable for the Claimant's losses to be limited to one month, the date by which he would have been fairly dismissed had a fair procedure been followed (*Polkey*). There shall be an uplift to the compensatory award of 10% for failure to follow the ACAS Code and a reduction to the basic and compensatory awards of 50% on the grounds of contributory fault.
6. The Claimant is awarded compensation of £3710.40 to be paid by the Respondent to the Claimant. This award consists of a basic award of £2017.50 and a compensatory award of £1692.90.

Employment Judge L Burge

Date 9 November 2021

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