



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms P Malpeli

**Respondent:** Gen2 Property Ltd

**Heard at:** London South      **On:** 4, 5, 6 & 7 January 2022

**Before:** Employment Judge Khalil sitting with members  
Ms A Boyce  
Mr P Morcom

**Appearances:**

For the claimant: Mr Price, Counsel

For the respondent: Mr Wilding, Counsel

## JUDGMENT

**Unanimous Judgment:**

The claim for constructive unfair dismissal pursuant to S.94/95 Employment Rights Act 1996 is well founded and succeeds.

The claim for wrongful dismissal succeeds.

The claim for holiday pay is dismissed upon the claimant's withdrawal of the claim.

The claim for unfair dismissal pursuant to S.103A Employment Rights Act 1996 is not well founded and fails.

The claim for detriments for making a protected disclosure pursuant to S. 47B Employment Rights Act 1996 is not well founded and fails.

***In relation to the claim which has succeeded, the parties are strongly encouraged to resolve remedy privately. If this is not possible, the parties should write to the Tribunal 28 days after receiving this record of the Judgment***

***confirming whether more time is required or whether a Remedy Hearing should be listed and if so, the time estimate.***

Reasons were given at the time and written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of the sending of this written record of the decision.

**Public access to Employment Tribunal decisions**

All judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

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Employment Judge Khalil  
Date: 7 January 2022

Sent to the parties on  
Date: 10 January 2022