



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Donoghue

**Respondent:** Vale UK Limited

**Heard at:** Liverpool **On:** 22 November 2021

**Before:** Employment Judge Horne

**Representatives**

For the claimant: In person

For the respondent: Ms J Denton, counsel

## JUDGMENT

1. Mr Donoghue was not constructively dismissed. His complaint of unfair dismissal and his claim for damages for breach of contract (wrongful dismissal) therefore fail.
2. Mr Donoghue breached his contract of employment with Vale UK Limited by failing to give notice of termination. The employer's contract claim is therefore well founded. Mr Donoghue is ordered to pay Vale UK Limited damages of £958.40.

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Employment Judge Horne

23 November 2021

SENT TO THE PARTIES ON

3 February 2022

FOR THE TRIBUNAL OFFICE

**Note:**

- (1) The parties are referred to by name, to avoid any confusion that might arise from the use of the words, “claimant” and “respondent” where each party brings a claim against the other.
- (2) Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the judgment being sent to the parties. If written reasons are provided, they will be entered onto the tribunal’s online register, which is visible to internet searches.



**NOTICE**

**THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990**

Tribunal case numbers: **2417709/2020, 2401416/2021**

Name of case: **Mr S Donoghue** v **Vale UK Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 3 February 2022

"the calculation day" is: 4 February 2022

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office