



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4108074/2021
Hearing held in Glasgow on 31 August 2021
Employment Judge M Whitcombe

Mr George McNaught

**Claimant
In person**

S&A Kilcoyne Limited

**Respondent
Represented by:
Mr D Kilcoyne
(Finance Director)**

JUDGMENT

The judgment of the Tribunal is as follows.

(1) The claimant was unfairly dismissed by the respondent.

(2) No compensation is awarded because:

- a. a fair procedure would also have led to dismissal on the same date, so it would not be just and equitable for there to be any compensatory award; and
- b. both the basic and the compensatory awards are reduced by 100% to zero because of the claimant's contributory conduct.

(3) Oral reasons for this judgment were given to the parties at the end of the hearing. Neither of them requested written reasons.

**Employment Judge: Mark Whitcombe
Date of Judgment: 01 September 2021
Entered in register: 02 September 2021
and copied to parties**