



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr W H Vivas Guerrero

AND

Criterion Hospitality Limited

Heard at: London Central

On: 4 and 5 April 2022

Before: Employment Judge Coen (Sitting alone)

Representation

For the Claimant: Christopher Howells, Counsel

For the Respondent: Laurene Veale, Counsel

JUDGMENT

The judgment of the Tribunal is that:

1. The Claimant was unfairly dismissed by the Respondent;
2. A 35% reduction in the compensatory award for unfair dismissal shall be made under the principles in **Polkey v A E Dayton Services Limited [1987] IRLR 50 (HL)**;
3. By agreement between the parties, the Respondent is ordered to pay the Claimant the sum of £16,555.42 (comprising the sum of £25,469.88 less a Polkey deduction of £8,914.46) within 28 days of the date of this Judgment.

Employment Judge Coen

Dated: 5 April 2022

Judgment sent to the parties on:

05/04/2022..

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For the Tribunal Office

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 or a written request is presented by either party within 14 days of the sending of this written record of the decision.