



EMPLOYMENT TRIBUNALS

Claimant

Respondent

MR F. ALI

v

V&A ENTERPRISES LIMITED

Heard at: London Central (via video)

On: 26, 27 and 28 April 2022

Before: Employment Judge P Klimov (sitting alone)

Representation:

For the Claimant: in person

For the Respondent: Mr J. Green (of Counsel)

JUDGMENT

1. The claimant's claim under s. 153 Trade Union and Labour Relations (Consolidation) Act 1992 ("**TULRCA**") is dismissed upon withdrawal.
2. The claimant's claim under s. 146 TULRCA is dismissed upon withdrawal.
3. The claimant's claim under s. 152 TULRCA fails and is dismissed.
4. The claimant's claim for unfair dismissal under s. 94 of the Employment Rights Act 1996 ("**ERA**") succeeds.
5. The claimant was unfairly dismissed by the respondent.
6. The respondent must pay to the claimant a compensation for unfair dismissal to be determined at a remedy hearing on **28 June 2022**, if not agreed between the parties.

7. A 50% reduction to the compensatory award for unfair dismissal shall be made under the principles in *Polkey v A E Dayton Services Limited 1988 ICR 142.*
8. There shall be no reduction to the compensatory award under s. 123(6) ERA.

Employment Judge P Klimov
28 April 2022

Sent to the parties on:

28/04/2022

For the Tribunals Office

Notes

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.

Public access to employment tribunal decisions

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