



EMPLOYMENT TRIBUNALS

Claimant: Mr R. Donohoe

Respondent: Wheeler Electrical Limited

Heard at: Watford (by CVP)

On: 13, 14 October 2022

Before: Employment Judge McNeill QC

Appearances

For the claimant: Mr M. Williams, Counsel

For the respondent: Ms J. Danvers, Counsel

JUDGMENT

- (1) The claimant's claim for breach of contract is dismissed.
- (2) The claimant's claim for unfair dismissal was conceded by the respondent and is well-founded.
- (3) The respondent is ordered to pay compensation for unfair dismissal to the claimant in the agreed sum of £980.20, made up of a basic award of £668.00 and a compensatory award of £312.20. The compensatory award, agreed by the parties, is calculated after taking into account a **Polkey** deduction of 70% and the Claimant's claim for an uplift for a failure to comply with the applicable Acas code of practice.
- (4) The claimant's application to amend his claim to include a claim in respect of a failure to pay the National Minimum Wage between June 2018 and July 2019 was consented to by the respondent and allowed by the tribunal. The application was made after determination of liability issues in the case and before issues of remedy were considered.
- (5) By consent, there is judgment for the claimant in respect of the respondent's failure to pay the National Minimum Wage for the period from June 2018 to July 2019 in the agreed sum of £4,019.80.

Employment Judge McNeill QC

Dated: 17 October 2022

Sent to the parties on:

10 November 2022

For the Tribunal:

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Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless 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.