



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mr Bayley

**Respondent**  
Tubeform Ltd

AND

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Midlands West                      **ON** 18 November 2022

**EMPLOYMENT JUDGE** Harding

### Representation

**For the Claimant:** In Person

**For the Respondent:** Ms Thomas, HR Consultant

### JUDGMENT

- 1 The claimant's claim of unfair dismissal succeeds.
- 2 The claimant's compensatory award should be reduced by 75% to reflect the chance that, absent the unfairness, the respondent would have fairly dismissed the claimant.
- 3 The claimant's culpable and blameworthy conduct contributed to his dismissal. It is just and equitable to reduce the claimant's basic and compensatory award by 50%.
- 4 The Recoupment Regulations apply.

Note: written reasons will not be provided unless requested at the Hearing itself or in writing within 14 days of the sending of the written record of the decision, Rule 62(3).

5 The respondent is ordered to pay to the claimant compensation in the total sum of £5, 350.22 (see attached annex).

Employment Judge Harding  
18/11/2022