



EMPLOYMENT TRIBUNALS

Claimant: Kevin Pretlove

Respondent: Network Rail Infrastructure Limited

Heard at: Southampton **On:** 6 and 7 March 20223

Before: Employment Judge Dawson,

Appearances

For the claimant: Mr Renton, counsel

For the respondent: Ms Crew, counsel.

JUDGMENT

1. The claimant was unfairly dismissed by the respondent.
2. The compensatory award will be reduced to reflect the fact that there is a 30% chance that the claimant would have resigned even if the respondent was not in repudiatory breach of contract.
3. The remedy to which the claimant is entitled will be decided on 25 May 2023 at Southampton Employment Tribunal, West Hampshire Magistrate's Court, 100 The Avenue, Southampton, Hampshire SO17 1EY
4. The parties are to attend by 9.30 am on the first day in anticipation that the hearing will commence at 10.00 am.
5. The following directions apply:

- a. The claimant shall serve an updated schedule of loss and any further disclosure on the question of loss by 14 March 2023.
- b. The claimant shall serve a witness statement on the question of remedy, limited to 1000 words by 21 March 2023.
- c. The parties will agree a bundle for use at the final hearing, limited to 100 pages, by 31 March 2023.

Employment Judge Dawson

Date 8 March 2023

Judgment sent to the Parties: 21 March 2023

FOR THE TRIBUNAL OFFICE

Notes

Reasons

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.

CVP

The hearing was conducted by the parties attending by Cloud Video Platform. It was held in public in accordance with the Employment Tribunal Rules. It was conducted in that manner because it was in accordance with the overriding objective to do so.