



# EMPLOYMENT TRIBUNALS

Claimant: Mr V Ndongola

Respondent: Harrison Spinks Beds Limited

Heard at: Leeds On: 27 and 28 March 2023

Before: Employment Judge D N Jones

## REPRESENTATION:

Claimant: Mr P Diavewa, advocate

Respondent: Ms B Clayton, counsel

Interpreter R Kabwika

## JUDGMENT

1. The claimant was unfairly dismissed by the respondent.
2. Had the respondent conducted an appropriate consultancy exercise there was a chance the claimant would have been dismissed by reason of redundancy and the compensatory award shall be reduced by a third to reflect that.
3. The respondent shall pay to the claimant compensation in the sum of £3,647.68 by way of compensatory award. That is to reflect losses of earnings and employer's pension contributions from 27 May 2022 to 3 June 2022, being three weeks full loss of £932.16, and from 28 June 2022 to 16 December 2022 of £4,039.36. To that is added a sum of £500 for loss of statutory rights. Those sums are reduced in accordance with paragraph 2.
4. The claimant received universal credit and the recoupment provisions apply. The prescribed element is £3,147.68 and the prescribed period from 27 May 2022 to 28 March 2023. The total award exceeds the prescribed element by £500.

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Employment Judge D N Jones

Date 28 March 2023

1 Case No. 1805180/2022

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.

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