



EMPLOYMENT TRIBUNALS

Claimant: Mr S Afful

Respondent: R2

Heard at: Watford

On: 2-4 August 2023

Before: Employment Judge R Lewis

Appearances

For the claimant: Mr R Allan, consultant

For the respondent: Mr N Onyekewlu, solicitor

JUDGMENT

- 1 The claimant was unfairly dismissed by the respondent.
- 2 Applying the Polkey principle, the claimant's employment would have continued for one month, after which there is a 100% chance that he would have been fairly dismissed.
- 3 The claimant's basic award is reduced by 2/3rds by reason of conduct before dismissal.
- 4 The claimant's compensatory award (including for avoidance of doubt loss of statutory rights) is reduced by 100% by reason of contributory conduct.
- 5 The respondent is ordered to pay uplift of by consent 25% on the unfair dismissal award in accordance with s.207A TULRCA 1992.
- 6 The respondent is ordered to pay the claimant as compensation for unfair dismissal the sum of £700.00 plus uplift of £175.00, a total of £875.00.
- 7 The effective date of termination of the claimant's employment was 28 August 2019.

- 8 The respondent did not issue written terms and conditions of employment to the claimant.
- 9 The respondent is ordered to pay to the claimant four weeks pay in accordance with s.38 Employment Act 2002, a total of $4 \times £525 = £2,100.00$
- 10 The total payable to the claimant by the respondent in accordance with this Judgment is £2,975.00.

Employment Judge R Lewis

Date:...4 August 2023.....

Sent to the parties on:

8 August 2023.....

For the Tribunal:

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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.