



EMPLOYMENT TRIBUNALS

Claimant: Mr S Kimberley

Respondent: HTC Solutions Limited

Heard at: Birmingham

On: 18 & 19 March 2024

Before: Employment Judge Flood

REPRESENTATION:

Claimant: Mr Ratledge (Counsel)

Respondent: Mr Randall (Attorney – US qualified)

JUDGMENT

Unfair Dismissal

1. The complaint of unfair dismissal under Part X Employment Rights Act 1996 is well-founded. The claimant was unfairly dismissed. The respondent is ordered to pay the claimant the following:
 - (a) A basic award in the sum of £19,290
 - (b) A compensatory award in the sum of £42,205.55 (calculated in accordance with the attached Schedule)

Breach of contract (notice pay)

2. The complaint of breach of contract is well-founded. No award of damages is made as the losses incurred by the claimant have been included as part of the compensatory award for unfair dismissal set out above.

Unpaid holiday pay

3. The complaint of unpaid holiday pay is dismissed upon withdrawal.

Employment Judge Flood
19 March 2024

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.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>