



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 8000049/2024

Hearing held in Glasgow by video on 20 September 2024

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Employment Judge M Whitcombe
Tribunal Member Mrs F Paton
Tribunal Member Dr S Singh

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Mr P Samborek

Claimant
In person

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Flexel International Limited

Respondent
Represented by:
Mr D Bunting
(Counsel)

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JUDGMENT ON REMEDY

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Having found on 28 June 2024 that the claimant had been unfairly dismissed, the unanimous judgment of the Tribunal on remedy is as follows.

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(1) The claimant is not entitled to a basic award because he has already received a redundancy payment of the same or greater value. Section 122(4) of the Employment Rights Act 1996 applies.

(2) If the respondent had followed a fair procedure then the outcome would have been exactly the same and the claimant would have been dismissed on the same date. There was no chance of any other outcome.

It would not be just and equitable for there to be any compensatory award in those circumstances.

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Employment Judge: M Whitcombe
Date of Judgment: 20 September 2024
Entered in register: 24 September 2024
and copied to parties

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