



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Maris

**Respondent:** JELD-WEN UK Limited

**HELD** In Sheffield ON: 18 November 2024  
By CVP 19 and 20 November 2024

**BEFORE:** Employment Judge Brain

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr D Sillitoe, Solicitor

# JUDGMENT

The Judgment of the Employment Tribunal is that:

1. By consent, on 10 July 2023 (at 06:50) the claimant made a disclosure to the respondent which was a protected disclosure for the purposes of Part IVA of the Employment Rights Act 1996 (*the 1996 Act*).
2. The principal reason for the respondent's dismissal of the claimant on 14 July 2023 was because of the disclosure referred to in paragraph 1. Accordingly, the claimant's complaint brought pursuant to section 103A of the 1996 Act that the respondent unfairly dismissed him succeeds.
3. **Remedy**

3.1. There shall be no basic award, the claimant having insufficient qualifying service for the purposes of section 119(1) of the 1996 Act.

3.2. The respondent shall pay to the claimant a compensatory award in the sum of **£9,916.84** calculated as follows:

16 weeks loss of earnings from 14 July 2023 to 30 November 2023 (calculated upon the basis of a net salary of £1,360 per week inclusive of car allowance together with employer pension contributions of 3% of gross salary) - **£22,435.00**

**Less** two weeks remuneration received from the respondent for the period from 14 July 2023 to 31 July 2023 - **£2,801.60**

**Less** earnings in alternative employment at £1,125.73 per week net from 16 October 2023 to 30 November 2023 - **£7,880.11**

Net loss - **£11,753.29**

**Add** 25% uplift for failure to comply with the *ACAS Code of Practice:1: Disciplinary and Grievance Procedures (2015)* pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992 -

**£2,938.32**

**£14,691.61**

**Less** reduction of 10% for lack of good faith pursuant to section 126(6A) of the 1996 Act - **£1,469.16**

**£13,222.45**

**Less** reduction of 25% for contributory conduct pursuant to section 123(6) of the 1996 Act - **£3,305.61**

Total payable **£9,916.84**

4. The claimant's application for a Preparation Time Order made pursuant to Rule 75(2) of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 is dismissed following withdrawal by the claimant.

## **Employment Judge Brain**

Date: 20 November 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](http://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/>