



EMPLOYMENT TRIBUNALS

Claimant: Mr R Kosinski

Respondent: Unipart Group Limited

FINAL HEARING

Heard at: Birmingham

On: 2 to 6, 9, (deliberations in private) 10 & 11, & 12 June 2025

Before: Employment Judge Camp
Mr R Virdee
Mrs J Keene

Appearances

For the Claimant: in person

For the Respondent: Mr T Dracass, counsel

JUDGMENT

1. The Claimant's dismissal was unfair in accordance with section 98 of the Employment Rights Act 1996 ("ERA") and his complaint of unfair dismissal is well-founded.
2. The Claimant's other complaints – complaints of direct discrimination, harassment, victimisation, and a complaint that his dismissal was automatically unfair in accordance with ERA section 103A – all fail and are dismissed.
3. The claimant does not wish the Tribunal to make an order for reinstatement or re-engagement.
4. There should be no adjustment to any compensatory award pursuant to the so-called **Polkey** principle or in accordance with section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992.
5. The basic award and any compensatory award should each be reduced by 40 percent pursuant to ERA sections 122(2) and 123(6).

6. In light of the above decisions, it is not in dispute that:
 - 6.1 the basic award should be £3,345.70 (60 percent of £5,576.17, calculated on the basis of a week's pay of £413.03, 9 years' continuous service at the date of dismissal, and the claimant being 50 years old at the date of dismissal);
 - 6.2 the compensatory award should be £300, which is 60 percent of £500 for loss of statutory rights.
7. The total amount payable by the respondent to the claimant is **£3,645.70**.
8. Reasons were given orally at the hearing. Written reasons will not be provided unless asked for by a written request presented by any party within 14 days of the sending of this written record of the decision.

Employment Judge Camp

Approved on 12 June 2025