



# EMPLOYMENT TRIBUNALS

## Claimant

Mr D Volosina

## Respondent

CWM Transport Ltd

v

**Heard at:** Cambridge

**On:** 2 March 2026

**Before:** Employment Judge Tynan

## Appearances

**For the Claimant:** In person

**For the Respondent:** Did not attend and was not represented

# JUDGMENT

## Wrongful Dismissal

1. The Respondent dismissed the Claimant in breach of contract by not giving him two weeks' notice terminating his employment or paying him in lieu thereof.
2. The Tribunal awards the Claimant compensation of **£1,625** gross in respect of his wrongful dismissal. This sum is inclusive of a 25% uplift pursuant to s.207A of the Trade Union & Labour Relations (Consolidation) Act 1992.

## Wages

3. The Tribunal declares that the Respondent made unauthorised deductions from the Claimant's wages on 21 and 25 February 2025 and orders the Respondent to pay the sum of **£325** gross to the Claimant in respect of the deductions. This sum is inclusive of a 25% uplift pursuant to s.207A of the Trade Union & Labour Relations (Consolidation) Act 1992.

## Sections 43B and 44 of the Employment Rights Act 1996

4. Between 20 and 14 February 2025, the Claimant did the following:
  - 4.1. He made disclosures to the Respondent qualifying for protection under section 43B of the Employment Rights Act 1996; and

4.2. In accordance with section 44(1)(c) of the Employment Rights Act 1996, he brought to the Respondent's attention, by reasonable means, circumstances connected with his work which he reasonably believed were harmful or potentially harmful to health or safety ("the s.44 acts").

**Sections 44, 47B and 103A of the Employment Rights Act 1996**

5. The Claimant complains that, in contravention of sections 44 and 47B of the Employment Rights Act 1996, he was subjected to detriments on the grounds that he did the s.44 acts and made protected disclosures are well-founded and succeed as follows:
  - 5.1. His concerns were dismissed or minimised by the Respondent;
  - 5.2. The Respondent failed to arrange for his vehicle to be independently inspected and to provide him with a formal report on the vehicle or other written assurances as to the vehicle's roadworthiness, alternatively it failed to provide him with an alternative vehicle;
  - 5.3. He was instructed not to attend work on 25 February 2025;
  - 5.4. The Respondent resolved to dismiss him without any process, including by denying him the right to state his case and for his representations to be considered;
  - 5.5. The Respondent failed to investigate or provide a decision on his grievance dated 7 March 2025; and
  - 5.6. The Respondent failed to comply with his data subject access request for copies of his personal data.
6. The Claimant's complaint that he was unfairly dismissed on 26 February 2025 contrary to section 103A of the Employment Rights Act 1996 is well-founded and succeeds.
7. The Respondent shall pay the Claimant the following sums (which are inclusive of an uplift of 25% pursuant to s.207A of the Trade Union & Labour Relations (Consolidation) Act 1992):
  - 7.1. Compensation of **£23,141.25** in respect of his complaint that he was unfairly dismissed (212 days @ £130 per day, less £9,047 by way of mitigation of losses = £18,513 excluding uplift); and
  - 7.2. Compensation of **£11,250** for injury to feelings in respect of his complaints that he was subjected to detriments and unfairly dismissed.

There is no basic award as the Claimant had been employed by the Respondent for less than a year at the effective date of termination of employment.

**Summary**

8. The total award to the Claimant is **£36,341.25** gross.

Approved by:  
**Employment Judge Tynan**  
Date: 4 March 2026  
Sent to the parties on:  
10 April 2026.....  
For the Tribunal:  
.....

**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 is likely to be payable in most but not all circumstances. 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/>