



EMPLOYMENT TRIBUNALS

Claimant:
Mr A Pollock

v

Respondent:
Transun Travel Limited

Heard at: Reading

On: 15 and 16 May 2017

Before: Employment Judge George

Appearances

For the Claimant: Mr D Parry (Solicitor)

For the Respondent: Ms A Stroud (Counsel)

JUDGMENT

1. The claimant was unfairly dismissed.
2. There was 100% chance that the claimant's dismissal would have occurred by 7 April 2016.
3. It is just and equitable to make a 50% deduction from compensation by reason of his conduct.
4. The claim for wrongful dismissal is dismissed.
5. It is just and equitable that there should be an uplift applied to the compensation awarded of 25% for unreasonable failures on the part of the respondent to comply with the ACAS Code of Conduct.
6. The respondent shall pay to the claimant compensation for unfair dismissal in the sum of £3,373.08 calculated as follows:

Basic award:

Calculated with reference to maximum weekly sum of £479.00. The claimant has four years' continuous service and because of his age, the multiplicand is 1.5 making a basic award
Loss of statutory rights
4 weeks' wages from ETD to 7.4.16 @ £543.23

£2,874.00

£350.00

£2,172.92

Total award of compensation for unfair dismissal

£5,396.92 £5,396.92

Reduced by 50% to take account of contributory conduct and then increased by 25% because of failure to comply with the ACAS Code of Conduct

X 0.75

Final award

£3,373.08

The recoupment provisions do not apply because the claimant was not in receipt of Jobseeker's Allowance during the period covered by the compensatory award

7. The respondent is to pay to the claimant costs in the sum of £1,200 in respect of tribunal fees.

Employment Judge George

Date:31 May 2017.....

Sent to the parties on:

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For the Tribunal Office

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.