



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr G Harold

AND

Respondent
Thomas Bros t/a
TBS Skips (A Partnership)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Haverfordwest **ON** 4 April 2019

EMPLOYMENT JUDGE NW Beard (sitting alone)

Representation

For the Claimant: No Appearance

For the Respondent: Mr P Thomas (Partner)

JUDGMENT

The judgment of the tribunal is that:-

1. The name of the respondent is amended to Thomas Bros t/a TBS Skips (A Partnership)
2. The claimant's claim of unfair dismissal within the meaning of Section 98(4) of the Employment Rights Act 1996 is well founded.
3. The claimant contributed to his dismissal to the extent of 100%.
4. The prospect of the claimant being dismissed in any event had a fair procedure been followed was 100% in accordance with the guidance in **Polkey v AE Dayton Services Ltd** [1987] UKHL 8.
5. The tribunal awards the claimant nil compensation because any award is extinguished by the level of contribution and a reduction because the claimant would have been dismissed in any event.

Employment Judge Beard

Dated: 4 April 2019

Case Number 1601772/2018

Judgment sent to Parties on
8 April 2019

For the Tribunal Office