

# EMPLOYMENT TRIBUNALS

**Claimant: Mr P Wilkinson**

**Respondent: Henry Bell and Co (Morley) Ltd**

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**Heard at: Leeds**

**On: 3 and 4 March 2021**

**Before: Employment Judge Shepherd**

**Appearances:**

**For the claimant: In person**

**For the respondent: Mr Randall**

## JUDGMENT

The judgment of the Tribunal is that:

1. The claim of automatically unfair dismissal by reason of Health and Safety pursuant to section 100 of the Employment Rights Act 1996 is not well founded and is dismissed.

2. The claim of unfair dismissal pursuant to section 98(4) is well founded and succeeds. The respondent is ordered to pay to the claimant the following amounts:

Basic award  
£12,399.00

Compensatory award  
£16,252.00

With a 50% reduction for contributory fault the total award is £14,325.50.

3. The Employment Protection (Recoupment of Income Support and Jobseekers Allowance) Regulations 1996 apply and their effect is set out in the Annex to this Judgment. The prescribed period is from 1 May 2020 to 1 August prescribed element is £2,327.00 (13 x 50% of net weekly pay) and the balance of the unfair dismissal award is £11,998.50.

**Employment Judge Shepherd**

4 March 2021