



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr N Cooper

**Respondent:** BS Labels Limited

**Heard at:** Nottingham **On:** 16 November 2020

**Before:** Employment Judge Victoria Butler (sitting alone)

## Representation

**Claimant:** Mr Bidnell-Edwards, Counsel

**Respondent:** Mr N Oram, Director

# JUDGMENT

The claim of unfair dismissal is well founded and succeeds.

Applying the principle in *Polkey v A E Dayton Services Limited* [1987] IRLR 503 there was a 100% chance of the Claimant being dismissed fairly in any event. The compensatory award is, therefore, reduced by 100%. There is no entitlement to a basic award as it is extinguished by the payment of a redundancy payment.

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Employment Judge Victoria Butler

Date: 17 November 2020

JUDGMENT SENT TO THE PARTIES ON

19 November 2020

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FOR THE TRIBUNAL OFFICE

## Notes

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.