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**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Nos: 4103932/2022 & 4103897/2022**

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**Hearing held in Glasgow on 9 to 11 May 2023**

**Employment Judge R Mackay**

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**Mr P Dolan**

**First Claimant  
Represented by:  
Mr Neil Paterson, Solicitor**

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**Mr I McCorkindale**

**Second Claimant  
Represented by:  
Mr Neil Paterson, Solicitor**

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**ADL Lift Services Ltd**

**Respondent  
Represented by:  
Mr M Ramsbottom,  
Litigation Consultant**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

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The judgment of the Employment Tribunal is as follows:

1. In relation to claims of the first claimant, Mr Dolan:

- a. His claim of unfair dismissal succeeds. The respondent shall pay to Mr Dolan a basic award of **TWO THOUSAND FIVE HUNDRED AND SIXTY NINE POUNDS AND FIFTY PENCE (£2,569.50)** and a

compensatory award of **SIX THOUSAND ONE HUNDRED AND THIRTY FOUR POUNDS (£6,134)**. These sums shall be paid without deduction of income tax or national insurance contributions.

5 b. His claim for a redundancy payment having been extinguished by the basic award, is dismissed.

2. In relation to the claims of the second claimant, Mr McCorkindale:

a. His claim for unlawful deduction from wages fails and is dismissed.

10 b. His claim of unfair dismissal succeeds. The respondent shall pay to Mr McCorkindale a basic award of **TEN THOUSAND TWO HUNDRED AND SEVENTY EIGHT POUNDS (£10,278)** and a compensatory award of **NINETEEN THOUSAND SIX HUNDRED AND TWENTY EIGHT POUNDS (£19,628)**. These sums shall be paid without deduction of income tax or national insurance contributions.

15 c. His claim for unpaid notice succeeds and the respondent shall pay to Mr McCorkindale the sum of **EIGHT THOUSAND TWO HUNDRED AND SEVENTY SIX POUNDS (£8,276)**. This is a gross sum from which income tax and national insurance contributions require to be deducted before payment is made.

20 d. His claim for a redundancy payment having been extinguished by the basic award, is dismissed.

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**REASONS**

Oral reasons were provided at the conclusion of the hearing.

5      **Employment Judge:      R Mackay**  
**Date of Judgment:      17 May 2023**  
**Entered in register:      18 May 2023**  
**and copied to parties**