



EMPLOYMENT TRIBUNALS

Claimant: Mr Marcin Rogalski

Respondent: Amazon UK Services Limited

FINAL HEARING

Heard at: Birmingham

On: 22 & 23 January 2018

Before: Employment Judge Camp (sitting alone)

Appearances

For the claimant: Mr R Ennis, solicitor

For the respondent: Mr M Islam-Choudhury, counsel

JUDGMENT

1. The claimant was unfairly and wrongfully dismissed.
2. In relation to unfair dismissal, if the remedy is compensation:
 - 2.1 no reduction to any compensatory award is appropriate pursuant to the so-called Polkey principle (see Polkey v AE Dayton Services Ltd [1987] UKHL 8);
 - 2.2 the basic award and any compensatory award are both to be reduced by 50 percent, pursuant to sections 122(2) and 123(6) of the Employment Rights Act 1996.
3. By consent, the parties having – in light of paragraphs 1 and 2 above – agreed terms in relation to what remains of remedy, and without prejudice to any appeal or reconsideration application, no further decision as to remedy is made.
4. This Judgment is made and takes effect on 23 January 2018. Reasons for paragraphs 1 and 2 above were given orally on that date. Written reasons were not requested and will only be provided if asked for by a written request presented within 14 days of the date of the sending of this written record of the decision.

Employment Judge Camp
24 January 2018