



EMPLOYMENT TRIBUNALS

Claimant: Mr MW Buckley

Respondent: Alphin Pans Limited

HELD AT: Manchester

ON: 18 and 19
September 2018

BEFORE: Employment Judge Franey (sitting alone)

REPRESENTATION:

Claimant: Mr C Breen (Counsel)

Respondent: Mr J Boyd (Counsel)

JUDGMENT

1. The complaint in respect of holiday pay is dismissed upon withdrawal by the claimant.
2. The complaint of breach of contract in relation to notice of termination fails and is dismissed.
3. The complaint of unfair dismissal is well founded. The claimant was unfairly dismissed.
4. Any basic and compensatory awards for unfair dismissal shall be reduced by 75% on account of contributory fault by the claimant.
5. Any compensatory award for unfair dismissal shall be reduced by 80% to reflect the chance that a fair appeal would have confirmed dismissal.
6. The parties having agreed terms of settlement as to remedy, the Tribunal makes no order or award of compensation for unfair dismissal. All proceedings as to remedy will be dismissed without further order with effect from 4pm on **Friday 19 October 2018** unless before that time either party has notified the tribunal in writing that it does not wish this paragraph of the judgment to take effect.

Employment Judge Franey

19 September 2018

JUDGMENT SENT TO THE PARTIES ON

5 October 2018

FOR THE TRIBUNAL OFFICE

Note

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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.