



EMPLOYMENT TRIBUNALS

Claimant: Paul Farrall

Respondent: The Staffing Group Ltd

Heard at: Birmingham Employment Tribunal (17 and 18 June by CVP)

On: 11 – 18 June 2021

Before: Employment Judge Cookson sitting alone

Representation

Claimant: In person

Respondent: Mr Hurd (counsel)

JUDGMENT ON LIABILITY

It is the decision of the Employment Tribunal that:

1. The claimant was not dismissed in accordance with s95(1)(c) of the Employment Rights Act 1996 and accordingly his claim for unfair dismissal is not upheld;
2. The claimant's contract of employment was breached when the respondent treated his employment as having ended on 26 April 2019 for pay purposes and his claim that he should have been paid until 28 April 2019 is upheld. It is not possible to assess damages for that breach at this stage and a remedy hearing may be required.

CASE MANAGEMENT ORDER made under Rule 29 of Employment Tribunals Rules of Procedure 2013

The parties must write to the tribunal within 28 days of this judgment, on an agreed basis if possible, to explain if a remedy hearing and/or hearing to determine any costs application is required.

Employment Judge Cookson

Date 18 June 2021

Notes in relation to judgment

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.

Notes in relation to the case management order

(1) Any person who without reasonable excuse fails to comply with an Order to which section 7(4) of the Employment Tribunals Act 1996 applies shall be liable on summary conviction to a fine of up to £1,000.00.

(2) Under rule 6, if this Order is not complied with, the Tribunal may take such action as it considers just which may include (a) waiving or varying the requirement; (b) striking out the claim or the response, in whole or in part, in accordance with rule 37; (c) barring or restricting a party's participation in the proceedings; and/or (d) awarding costs in accordance with rule 74-84.

(3) You may apply under rule 29 for this Order to be varied, suspended or set aside.