



# EMPLOYMENT TRIBUNALS

**Claimant:** Mohil Kansara

**Respondent:** Gems of Broadway Limited

**Heard at:** London South Employment Tribunal, via CVP.

**On:** 15<sup>th</sup> March 2021

**Before:** Employment Judge Apted

## **Representation**

Claimant: self-represented.

Respondent: Mr Akinsanya - solicitor

# JUDGMENT

**The hearing has been a remote hearing which was not objected to by the parties. The form of remote hearing was video by Cloud Video Platform (CVP). A face-to-face hearing was not held because it was not practicable because of the Covid-19 virus.**

1. The claimant was unfairly dismissed.
2. A 75% reduction in the compensatory award for unfair dismissal will be made under the principles in **Polkey v A E Dayton Services Limited 1988 ICR 142**.
3. The claimant contributed to his dismissal to the extent of 25%, to be applied to the basic award for unfair dismissal.
4. The respondent shall pay to the claimant compensation for unfair dismissal of £6,325.31 gross, as follows:

Basic Award: £2,625, minus 25% contributory fault, equals £1,968.75.

Compensatory Award: £4,356.56, comprised as follows:

£7,100.72	loss of earnings,
£9,393.31	loss of future earnings
£400	loss of statutory rights

Equals £16,903.82.

Minus £2,962.80 payment in lieu of notice, equals £13,941.02.

Minus 75% reduction, equals £3,485.25.

Plus 25% increase for failure to follow the ACAS Code of Practice of £871.31, equals £4,356.56.

Employment Judge **Apted**

Date: 15<sup>th</sup> March 2021

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.

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