



EMPLOYMENT TRIBUNALS

Claimant: Mr I. Abiodun

Respondent: Waltham Estate Resident Management Limited

Heard at: London South via CVP

On: 3,4,5,6,9, and 10 January 2023 inclusive

Before: Employment Judge T.R. Smith

Representation

Claimant: Mr O. Onibokun (consultant)

Respondent: Ms Jervis (consultant)

JUDGMENT

- 1.The claimant's complaint of constructive unfair dismissal is well found.
- 2.The claimant did not cause or contribute to his dismissal by reason of culpable conduct.
- 3.No deduction is appropriate to any compensation that may be awarded applying the principal of Polkey-v- A E Dayton Services Ltd.
- 4.Pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992the tribunal is satisfied that the section applied to these proceedings, a relevant code of practice applied and the respondent failed to comply with that code and the failure was unreasonable such that it would be just and equitable increase any award it may make to the employee by 25% .

Case number 2300477/2019

Employment Judge **Smith**

Date 10 January 2023

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.

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.