



# EMPLOYMENT TRIBUNALS

**Claimants:** Mr R Labuschagne

**Respondent:** AKA Sadler Brown Ltd

**HELD AT:** Newcastle by CVP

**ON:** 28 February 2024

**BEFORE:** Employment Judge Moss

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr A Harmieson

## JUDGMENT

The judgment of the tribunal is that:

1. The claimant's claim for unfair dismissal is well founded and is upheld, on the basis of the respondent having followed a flawed procedure.
2. A 50% reduction in the compensatory award shall be made in accordance with the principles in *Polkey v AE Dayton Services Ltd* 1988 ICR 142.
3. Unless either party requests a further hearing within 28 days of the date of this judgment being sent to the parties, the issue of remedy shall be treated as having been resolved by agreement.

Employment Judge Moss

Date 28/02/2024

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.