



EMPLOYMENT TRIBUNALS

Claimant: Mr D Oliver

Respondent: Prahi Hotel Collection Limited

Heard at: Manchester Employment
Tribunal

On: 1 April 2022 (hybrid
hearing) and 22
April 2022 (in person)

Before: Employment Judge McCarthy (sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Mr F Mortin of Counsel

JUDGMENT

The Judgment of the Tribunal is that:

1. The complaint of unfair dismissal is well founded. The claimant was unfairly dismissed.
2. No basic or compensatory award is made because:
 - (a) a 100% reduction in the compensatory award for unfair dismissal is made under the principles in **Polkey v A E Dayton Services Ltd 1988 ICR 142 HL**; and
 - (b) the claimant contributed to his dismissal through his culpable conduct; this is reflected in a reduction to both the basic and any compensatory award of 100%.

Employment Judge McCarthy
Date: 10 May 2022

JUDGMENT SENT TO THE PARTIES ON
13 May 2022

FOR THE TRIBUNAL OFFICE

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.