



EMPLOYMENT TRIBUNALS

Claimant: Mr John Rai

Respondent: Aramark Defence Services Limited

Heard at: London South Tribunal

On: 13th, 14th and 15th November 2024

by: CVP

Before: **Employment Judge Clarke (sitting alone)**

Representation
Claimant: Mr J Rai (in person)
Respondent: Mr Mellis (Counsel)

JUDGMENT ON LIABILITY

- (1) The complaint of unfair dismissal is well-founded. This means that the Claimant was unfairly dismissed by the Respondent.
- (2) A 20% reduction in the Compensatory award for unfair dismissal will be made under the principles in ***Polkey –v- A E Dayton Services Limited 1998 ICR 142.***
- (3) No adjustment to the damages award for contributory conduct.
- (4) A 10% uplift to the damages award for failure to comply with ACAS Codes.
- (5) The Tribunal will decide the remedy for unfair dismissal at a further hearing on 12th December 2024 . The parties will be sent a separate case management order setting out the required steps for preparing for the remedy hearing.

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Employment Judge Clarke
Date: 15th November 2024

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

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