



EMPLOYMENT TRIBUNALS

Claimant: Mr P Pendlebury

Respondents: Mr G Carr and Mr D Beckett (as representatives of the members of Pemberton Central Working Mens Club)

HELD AT: Liverpool

ON: 10 October 2017
21 December 2017

BEFORE: Employment Judge Horne

REPRESENTATION:

Claimant: Miss J Hughes, Counsel

Respondent: Ms L Gould, Counsel

JUDGMENT

1. Mr Carr and Mr Beckett are added as respondents as representatives of the members of Pemberton Central Working Mens Club.
2. The claimant was unfairly dismissed.
3. It is just and equitable to reduce the claimant's basic and compensatory awards by one-third on account of the claimant's conduct.
4. The claimant has not compromised his claim for damages for breach of contract (wrongful dismissal) and the tribunal accordingly has jurisdiction to consider it.
5. The respondents breached the claimant's contract by failing to give notice of termination.
6. The respondents are entitled to set off any notice pay actually paid to the claimant against any award of damages for wrongful dismissal.
7. By consent, the respondents are ordered to pay the claimant the sum of £495.88 as damages for breach of contract in respect of the claimant's bond.

CASE MANAGEMENT ORDER

By 4pm on 11 January 2018 the parties must confirm in writing to the Tribunal whether they require a further hearing to determine the remaining aspects of the claimant's remedy and, if so, how long such a hearing will take. If no such hearing is required, the parties must confirm how they wish the tribunal to dispose of the claim.

Employment Judge Horne

5 January 2018

SENT TO THE PARTIES ON

9 January 2018

FOR THE TRIBUNAL OFFICE

Note – reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date when the judgment was sent to the parties. If written reasons are provided, they will be displayed on the tribunal's website.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2402031/2017

Name of Mr P Pendlebury v Mr G Carr and Mr D Beckett (as representatives of the members of Pemberton Central Working Mens Club)

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 9 January 2018

"the calculation day" is: **10 January 2018**

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office