



EMPLOYMENT TRIBUNALS

Claimant: Miss L Cooke
Respondent: Keolis Nottingham Trams Ltd
Heard at: Leicester (via Cloud Video Platform, 'CVP')
On: 2 and 3 June 2021
Before: Employment Judge Ahmed (sitting alone)

Representation

Claimant: Miss Andrea Pitt of Counsel
Respondent: Mr Ed McFarlane, Consultant, Law at Work

JUDGMENT

The judgment of the Tribunal is that:

1. The Claimant was unfairly dismissed;
2. The Claimant did not contribute to her dismissal;
3. Pursuant to the principles in **Polkey v AE Dayton Services Ltd** (1987) IRLR 503, the compensatory award shall be reduced by 50% to take into account the possibility that if the Respondent had applied a fair procedure the Claimant would have been fairly dismissed in any event;
4. The issue of remedy is adjourned to **Tuesday 28 September 2021 at 10.00 am** via CVP. The parties should take this as notice of the remedy hearing.
5. Case management orders in relation to the remedy hearing are given separately.

Employment Judge Ahmed

Date: 10 June 2021

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Covid-19 statement: This was a remote hearing which was not objected to by the parties. The form of remote hearing was by video (CVP). It was not practicable to hold a face-to-face hearing because of the Covid-19 pandemic.

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.

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