



EMPLOYMENT TRIBUNALS

Claimant: Mr Robert Burke

Respondent: Abba Cleaning Services Limited

Heard at: Exeter **On: 25 to 29 September 2018**

Before: Employment Judge Fowell

Representation:

Claimant: In person

Respondent: Mr J Allsop of counsel, instructed by WBW Solicitors

JUDGMENT

The unanimous decision of the Tribunal is that:

1. The claimant's dismissal was unfair and in breach of contract.
2. The complaint of discrimination arising from his disability is upheld.
3. The complaint of unlawful deduction from wages in respect of pay during the period of suspension is upheld.
4. The complaint of unlawful deduction from wages in respect of deductions for disputed loan payments between 2014 and 2016 is dismissed as out of time.
5. Compensation was reduced to reflect a finding of 30% contributory fault and that the working relationship would otherwise have ended by 30 September 2017.
6. The total sum awarded was **£9,412.19** comprising:
 - a. unlawful deduction from wages, £1,691.08
 - b. other financial losses, £2,471.11
 - c. injury to feelings, £5,250.00

Employment Judge Fowell

Date 28th September 2018