



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Y Alican  
**Respondent:** Medsun Foods Ltd  
**Heard at:** Watford Employment Tribunal (In Public; By Video)  
**On:** **8 March 2024**  
**Before:** Employment Judge Quill (Sitting Alone)

## Appearances

For the Claimant: Written representations (from Mr Gorlov) only  
For the respondent: Mr L Wilson, counsel

# REMEDY JUDGMENT

1. In accordance with section 112(2) of the Employment Rights Act 1996 (“ERA”), after the unfair dismissal complaint was found to be well-founded, the Tribunal gave details of what orders could be made under section 113 ERA, and asked the Claimant if she wanted such an order to be made. The attachment to Mr Gorlov’s email of 7 March 2024 at 13:41 makes it unequivocally clear that the Claimant does not wish any order under section 113 to be made.
2. Section 112(4) ERA addresses the compensation decisions which the Tribunal shall make when no order is made under section 113. Paragraph 6 of the reserved judgment sent to parties on 16 August 2023 already deals with the approach to compensation in the event that no order under section 113 were made. C4 - Mrs Alican has a 100% reduction to the basic award which would otherwise be made, and a 100% reduction to the compensatory award which would otherwise be made. There is, therefore, no order that the Respondent pay any sum to the Claimant in respect of the unfair dismissal decision.
3. For the avoidance of doubt, nothing in this remedy judgment affects

paragraph 7.4 of the reserved judgment sent to parties on 16 August 2023. The Respondent was ordered to make a payment to C4 - Mrs Alican of £6000, and that award was for breach of contract, not unfair dismissal.

4. The Respondent has reserved its position on costs, and, if it decides to make any application, it will do so in writing sent to the Tribunal and the Claimant. Thus no decision has been made on Mr Gorlov's comments (submitted at 13:41 on 7 March 2024) that a costs award would not be appropriate.

## **Employment Judge Quill**

Date: 8 March 2024

JUDGMENT SENT TO THE PARTIES ON  
9 April 2024

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FOR THE TRIBUNAL OFFICE

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