



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Da Silva

**Respondent:** BW Broadcast Ltd

**Heard at:** London South via CVP) **On:** 21, 22, 23 and 24 June 2022

**Before:** Employment Judge Khalil (sitting with members)  
Mr Turley  
Mr Wilby

## **Appearances**

For the claimant: Ms Gilbert, Counsel

For the respondent: Mr Valls (no appearance after day 1 for the substantive Hearing)

## **JUDGMENT**

### **Unanimous Decision**

#### **Liability**

The claimant's complaint of Unfair Dismissal contrary to S.94/98 Employment Rights Act 1996 ('ERA') is well founded and succeeds.

The claimant's complaint of Wrongful Dismissal is well founded and succeeds.

The claimant's complaint of Marriage Discrimination contrary to S.13 (Direct) and S.26 (Harassment) Equality Act 2010 is not well founded and fails.

#### **Remedy**

The Tribunal found the claimant contributed to his dismissal and the compensatory award is reduced by 25% under S.123 (6) ERA and the basic award is reduced by 25% under S.122 (2) ERA for conduct before dismissal.

The claimant is awarded:

- a) Damages for wrongful dismissal of £8,354.70 (12 weeks net notice pay) and £750 for loss of employer pension contributions.

- b) A Basic Award of £5245.50
- c) A Compensatory award of £522.18 (1 weeks' pay)
- d) Loss of statutory protection - £300

Reasons were given at the time and written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of the sending of this written record of the decision.

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**Employment Judge Khalil**

**24 June 2022**