



EMPLOYMENT TRIBUNALS

Between:

Mr L Hollick & others
Claimants

and

Engie Services Ltd
Respondent

At an Open Attended Preliminary Hearing

Held at: Nottingham
On: Tuesday 1 October 2019
Before: Employment Judge Jeram (sitting alone)

Representation

For the Claimants: **Mr Hollick**
For the Respondent: Ms Ballmelli of Counsel

JUDGMENT

1. The claims for unfair dismissal presented by Mr Sam Roe and Mr David Owen are dismissed, the Tribunal having found that they each had not been continuously employed for a period of not less than 2 years ending with the effective date of termination.

CASE MANAGEMENT SUMMARY

1. The unfair dismissal claims presented by Mr Hollicks and Ms Green will proceed to be determined.
2. All the issues in the case, including remedy, will be determined at a final hearing before an Employment Judge sitting alone at the Employment Tribunals Hearing Centre, 50 Carrington Street, Nottingham, NG1 7FG on a date to be sent out to the parties.
3. The parties and their representatives must attend by 9.30 am on the first day. The time estimate for the hearing is 4 days, based on the Claimants' intention

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to call 4 further witnesses and the Respondent's intention to call 3-4 witnesses.

4. The parties must inform the Tribunal as soon as possible if they think that there is a significant risk of the time estimate being insufficient and/or of the case not being ready for the final hearing.

ORDERS

Made pursuant to the Employment Tribunal Rules 2013

1. By no later than 4pm Tuesday 15 October 2019, the parties shall provide to the Tribunal dates of non-availability of their proposed witnesses between Monday 3 February 2020 and Friday 31 July 2020. Failure to comply with this order will lead to the matter being listed without further recourse to the parties.
2. By no later than 4pm Monday 2 December 2019, each party shall provide to the other parties copy documents that they wish to refer to at the final hearing or which are relevant to any issue in the case, including remedy.
3. By no later than 4pm Monday 2 December 2019, the Respondent shall provide a copy of the issues in the case to the Claimants.
4. By no later than 4pm Monday 2 December 2019, the Claimants shall provide to the Respondent a document setting out the compensation or damages they are claiming together with an explanation of how they are calculated.
5. By no later than 4pm Monday 13 January 2020, the parties must agree which documents are going to be used at the final hearing. The Respondent must paginate and index the documents, put them in one (or more) files ('the bundle') and provide the Claimants with a 'hard' and an electronic copy of the bundle by the same date.
6. By no later than 4pm Monday 27 January 2020 the Claimants and the Respondent shall prepare full written statements containing all of the evidence they and their witnesses intend to give at the final hearing and must provide copies of their written statements to each other by that date. No additional witness evidence will be allowed at the final hearing without the Tribunal's permission. The written statements must:
 - have numbered paragraphs;
 - be cross-referenced to the bundles;
 - contain only evidence that is relevant to the issues in the case.
 - Furthermore, the Claimants' witness statement must include an updated statement of the amount of compensation or damages they are claiming, together with an explanation of how they are calculated.
7. By 10am on the working day immediately before the first day of the hearing, the Respondent must email the Tribunal with electronic copies of all witness statements in this case (irrespective of which party has produced the statement) together with a cast list (agreed insofar as is possible).

Employment Judge Jeram

07 October 2019

Notes

(i) The above Order has been fully explained to the parties and all compliance dates stand even if this written record of the Order is not received until after compliance dates have passed.

(ii) Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.

(iii) The Tribunal may also make a further order (an “unless order”) providing that unless it is complied with the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.

(iv) An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative. Any further applications should be made on receipt of this Order or as soon as possible. The attention of the parties is drawn to the Presidential Guidance on ‘General Case Management’: <https://www.judiciary.gov.uk/wp-content/uploads/2013/08/presidential-guidance-general-case-management-20170406-3.2.pdf>

(v) The parties are reminded of rule 92: “Where a party sends a communication to the Tribunal (except an application under rule 32) it shall send a copy to all other parties and state that it has done so (by use of “cc” or otherwise). The Tribunal may order a departure from this rule where it considers it in the interests of justice to do so”. If, when writing to the Tribunal, the parties do not comply with this rule, the tribunal may decide not to consider what they have written.

Order sent to Parties on

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Multiple Schedule

<i>Case Number</i>	<i>Case Name</i>
2600261/2019	Mr Lawrence Hollick -v- Engie Cofely Workplace
2600262/2019	Ms Heather Green -v- Engie Cofely Workplace
2600263/2019	Mr David Owen -v- Engie Cofely Workplace
2600264/2019	Mr Sam Roe -v- Engie Cofely Workplace