



## EMPLOYMENT TRIBUNALS

**Claimant: Mr S Hardisty**

**Respondent: Angus Heron Limited**

**Heard at: Leeds by video link On: 25 and 26 February 2021**

**This was a remote hearing by CVP video link which was agreed in advance by the parties.**

**Before: Employment Judge Shepherd**

**Representation:**

**Claimant: In person**

**Respondent: Mr Willoughby, counsel**

## JUDGMENT

The judgment of the Tribunal is that:

1. The claim of automatically unfair dismissal by reason of Health and safety pursuant to section 100 of the Employment Rights Act 1996 is not well founded and is dismissed.
2. The claim of wrongful dismissal – breach of contract is well-founded and succeeds. The respondent is ordered to pay to the claimant the sum of £713.65.
3. The claim of outstanding holiday pay is well-founded and succeeds in the respondent is ordered to pay to the claimant the sum of £91.44.
4. The claims of unauthorised deduction from wages in respect of underpayments for holidays up to 10 January 2020 are dismissed as the claims were presented out of time and the Tribunal has no jurisdiction to hear them.

**Case Number: 1803821 /2020(V)**

**Employment Judge Shepherd**

**26 February 2021**

Sent to the parties on:

9 March 2021