

Case number 2600325/2021



EMPLOYMENT TRIBUNALS

Claimant: Mr Joseph McDonald
Respondent: Beeston Jewellers Ltd t/a Andrew McCulloch Jewellers

Heard at: Nottingham by Cloud Video Platform **on:**
Wednesday 18 August 2021

Before: Employment Judge P Britton

Representation

Claimant: In person assisted by his father Oliver McDonald
Respondent: Mr S Britton, Solicitor

JUDGMENT

1. The claim of unfair dismissal based as it is upon s104 of the Employment Rights Act 1996 proceeds as two years qualifying service is not needed.
2. The other claim for non payment of wages also proceeds.
3. By consent the matter will now proceed to a **Judicial Mediation to be heard by this Judge commencing at 9.45am on Thursday 9 September 2021.** It will be heard by CVP. Directions for the same are set out hereinafter.

Orders

Made pursuant to the 2013 Employment Tribunals rules of Procedure 2013

1. I having explained the process entailed in a Judicial Mediation and the parties having agreed to the same the following applies:
 - 1.1 The Claimant will send a revised schedule of loss and a list of expectations to the Respondent and the Tribunal by Wednesday **22**

August 2021.

- 1.2 The Respondent will send its counter schedule of loss and list of expectations to the Tribunal by **Wednesday 30 August 2021**.
- 1.3 The Claimant will have present his father to assist him.
- 1.4 The Respondent will be legally represented but also ensure that it has present a director with decision making authority.
- 1.5 Joining details viz CVP will follow in due course.

Employment Judge P Britton

Date: 18 August 2021

JUDGMENT SENT TO THE PARTIES ON

18 August 2021

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FOR THE TRIBUNAL OFFICE

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.uk/publications/employment-rules-and-legislation-practice-directions/>

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

18 August 2021

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