



EMPLOYMENT TRIBUNALS

Claimant: Mr B James
Respondent: Network Rail
Heard at: East London Hearing Centre
On: 5 July 2021
Before: Employment Judge Russell

Representation
Claimant: Ms R Owusu-Agyei (Counsel)
Respondent: Mr C Kelly (Counsel)

JUDGMENT

1. The employer's contract claim is dismissed upon withdrawal.
2. The Respondent breached the Claimant's contract of employment when it failed to pay him shift premium pursuant to clause 6.1 of the 2003 contract.
3. The Claimant suffered no loss and/or mitigated his loss as he was paid more than contractually entitled to pursuant to the 2003 contract in respect of Sundays and free days.

Employment Judge Russell

6 July 2021