



EMPLOYMENT TRIBUNALS

Claimant: Mr C A Hall

Respondent: M & Y Maintenance and Construction Limited

HELD AT: Liverpool

ON: 2-5 May 2017

BEFORE: Employment Judge T V Ryan

REPRESENTATION:

Claimant: Mr C Millett, Solicitor

Respondent: Mr S Peacock, Solicitor

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claim that the respondent failed to pay to him holiday pay due and/or made unauthorised deductions from wages in that regard has been settled by the parties on terms not made known to the Tribunal such that unless either party applies to the Tribunal by no later than 23 May 2017 for the claim to be restored it will be dismissed on deemed withdrawal by the claimant on that date.
2. The claimant was constructively dismissed by the respondent on 22 February 2016. The claimant did not as at the effective date of termination enjoy qualifying employment entitling him to protection against unfair dismissal by virtue of s.95 and s. 98 Employment Rights Act 1996.
3. The reason for the claimant's dismissal was not the fact that he had made protected disclosures and was not related to the claimant's activities as a designated

person or otherwise in relation to health and safety, and his claims of automatic unfair dismissal fail and are dismissed.

Employment Judge T V Ryan

Date: 08.05.17

JUDGMENT SENT TO THE PARTIES ON

9 May 2017

FOR THE TRIBUNAL OFFICE