



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr. A Kozakiewicz

**Respondent:** Amey plc

**Heard at:** Cambridge **On:** 4<sup>th</sup> January 2019

**Before:** Employment Judge: Mr. A. Spencer (sitting alone)

**Representation:**

Claimant: No attendance

Respondent: Mr. K Wilson (Counsel)

## JUDGMENT

1. The Tribunal has no jurisdiction to hear any of the claims brought by the Claimant. Specifically:
  - (a) The complaint of unlawful deduction from wages was presented out of time and the tribunal determines that it was reasonably practicable for the Claimant to have presented the claim in time; and
  - (b) In relation to the complaint of unfair dismissal:
    - (i) The Claimant does not have the right to bring a complaint of unfair dismissal as he lacks the requisite period of qualifying employment under section 108(1) Employment Rights Act 1996; and
    - (ii) Alternatively, the claim was presented out of time and the tribunal determines that it was reasonably practicable for the Claimant to have presented the claim in time.
  - (c) The complaint of disability discrimination was presented out of time and the tribunal determines that it is not just and equitable for the claim to proceed out of time.

Employment Judge: Mr. A Spencer

Date : 4 January 2019

JUDGMENT SENT TO THE PARTIES ON

22 January 2019

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FOR THE TRIBUNAL OFFICE

**Notes**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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