



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondent

Mr Anthony Murphy

Sheringhams Fine Foods Ltd

JUDGMENT ON OPEN PRELIMINARY HEARING

HELD AT London South ON Wednesday, 16 January 2019

Regional Employment Judge Hildebrand (Sitting alone)

Appearances

For Claimant: In Person

For Respondent: Mr M Kozik, Legal Representative

JUDGMENT

The judgment of the Tribunal in this open preliminary hearing is that: -

1. The Claimant's claims of unfair dismissal, harassment contrary to section 27 of the Equality Act 2010, indirect discrimination, holiday pay and in respect of payment for 3 days in May over a bank holiday and 3 days post resignation are struck out on the grounds that they stand no reasonable prospect of success.
2. The Respondent has accepted that the Claimant is entitled to 3 day's pay which will be paid to him and the Respondent is directed to make that payment forthwith to avoid the issue having to be raised at any subsequent hearing.
3. The Claimant's outstanding claims to be heard are therefore in respect of a proportion of the commission which it was anticipated he might be able to

earn on an indication of £7,000 for the full year and in respect of his allegation that the Respondent failed to comply with section 1 of the Employment Rights Act 1996 to supply a statement of initial employment particulars to him within the statutory period of 8 weeks.

4. The case will be listed for a judge sitting alone for **3 hours in Croydon on Tuesday, 26 March 2019 to begin at 14.00.**

Regional Employment Judge Hildebrand

Date: 30 January 2019

Note

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.