



EMPLOYMENT TRIBUNALS

Claimant Mr Martin Nurse

Respondent Royal Mail Group Ltd

Heard at: Bristol

On: 14 May 2019

Chairman: Employment Judge M Ford QC

Representation

For the Claimant: In person

For the Respondent: Miss Whitehouse, Solicitor

JUDGMENT

The judgment of the Tribunal is as follows:

1. The Claimant's claims of unfair dismissal and disability discrimination were out of time and are dismissed.
2. The Tribunal has no jurisdiction to consider the Claimant's claims for breach of contract based on the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 because the Claimant was in employment at the time his claim form was presented (and is still in employment).
3. The Claimant's claim that there was an unlawful deduction from his wages on about 10 November 2017 when the Respondent deducted the sum of £6,154.90 from his arrears of pay in respect of his earnings from other employment was out of time for the purpose of s.23 of the Employment Rights Act 1996 and is therefore dismissed.

The Claimant's remaining claim, that there was an unlawful deduction for his wages when the Respondent failed to include overtime pay he would have earned as an HGV driver following his reinstatement on 23 October 2017, shall proceed to a hearing in accordance with the directions made at a Preliminary Hearing on 14 May 2019.

Employment Judge M Ford QC

14 May 2019

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL

Note: *Reasons for the decision were given orally at the hearing. Written reasons will not be provided unless a written request is presented by any party within 14 days of the sending of this written record of the decision.*

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