



EMPLOYMENT TRIBUNALS

Claimant

Mr O Leire
Ms D Mockallo

v (1)
(2)
(3)

Respondent

Maine Management Limited
Stephen Hussey
Matthew Stephen Hussey

PRELIMINARY HEARING

Heard at: London Central Employment Tribunal

On: 13 May 2019

Before: Employment Judge JL Wade

Appearances:

For the Claimants: Mr T Wilkinson (Counsel)

For the Respondents: Not present or represented

JUDGMENT

Having considered the ET1s, EJ Wade has decided that a determination of the claims can properly be made without a hearing and the Judgment of the Tribunal, made under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, is as set out above. The respondents should note that the preliminary hearing was not a full hearing in their absence but was used by the Employment Judge as an opportunity to consider the file and decide whether judgment should be entered. The judgment of the Tribunal is as follows:

Protected disclosure detriment and dismissal

1. The first respondent both subjected the claimants to detriment in breach of Employment Rights Act section 47B and automatically unfairly dismissed them in breach of section 103A.
2. The second and third respondents have subjected the claimant to detriment in breach of Employment Rights Act section 47B.

Notice pay

3. The respondents have unlawfully failed to pay wages to the claimants.

Wages

4. The respondents have unlawfully failed to pay wages to the claimants.

Holiday pay

5. The respondents have unlawfully failed to pay wages to the claimants.

Remedy

6. The remedy payable will be assessed once the claimants have submitted their detailed schedules of loss.

The participation of the respondents

7. Pursuant to Rule 21 the respondents shall only be entitled to participate in the proceedings to the extent permitted by the Judge.

Employment Judge Wade

28 May 2019

Sent to the parties on:

4 June 2019

For the Tribunal:

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