



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr T Skillen

Respondent
Thomas Aggregates Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Carlisle on 20,21,22,23,24,28,29 May 2019.

EMPLOYMENT JUDGE Warren
Members: Ms M T Dowling
Mrs J C Fletcher

Representation

Claimant – in person

Respondent – Mr J Anderson, Counsel

JUDGMENT

The unanimous judgement of the Tribunal is that: -

1. The claimant has leave to bring a claim of breach of contract (notice pay) out of time.
2. The claim of breach of contract (notice pay) is not well founded. The claimant was guilty of gross misconduct and the respondent was entitled to dismiss him summarily.
3. The claim that the claimant suffered detriments for making public interest disclosures (health and safety and criminal offences) in contravention of section 47(b) of the Employment Rights Act 1996 is not well founded and is dismissed. In the judgement of the Tribunal the claimant did not have a reasonable belief that criminal offences had been, are being or are likely

- to be committed or that the health and safety of any individual has been, is being or is likely to be endangered. Further there is no evidence that he suffered any detriment.
4. The claim that the claimant was dismissed for making public interest disclosures under section 103A Employment Rights Act 1996 is not well founded and is dismissed.
 5. The claim that the claimant was unfairly dismissed for raising Health and Safety issues under section 100 (c) (i) of the Employment Rights Act 1996 is not well founded and is dismissed. The claimant did not hold a reasonable belief in circumstances connected with his work which were harmful or potentially harmful to health and safety.
 6. The claim of unlawful deductions from wages is not well founded and is dismissed. The claimant was paid for all of the time that he was at work with the respondent.

Employment Judge Warren

Signed on 3 June 2019

Oral reasons having been given at the Hearing, written reasons may be requested within 14 days

Judgment sent to Parties on

20 June 2019