



EMPLOYMENT TRIBUNALS

Claimant: Mr S Smith

Respondent: Liverpool Food Company Limited

HELD AT: Liverpool **ON:** 17 September 2019

BEFORE: Employment Judge Horne

REPRESENTATION:

Claimant: In person

Respondent: Mr C Hayes, solicitor

JUDGMENT AT A PRELIMINARY HEARING

1. The claimant's claim already includes a complaint that he was required to work excessive weekly hours in breach of regulation 4 of the Working Time Regulations 1998, and he is not required to amend his claim in order to pursue it. (This part of the claim is subject to a separate strike-out warning).
2. The claimant is required to amend his claim in order to pursue a complaint that the respondent breached regulation 11 of the Working Time Regulations 1998 by failing to provide him with a weekly rest period.
3. Permission to make that amendment is refused.
4. The claimant is required to amend his claim in order to pursue a claim for damages for breach of contract or a complaint of unlawful deduction from wages arising from the non-payment of his bonus.
5. Permission to make that amendment is also refused.

6. This judgment does not affect the claimant's complaint of unfair constructive dismissal, which will proceed to a final hearing.

Employment Judge Horne

17 September 2019

SENT TO THE PARTIES ON

15 October 2019

FOR THE TRIBUNAL OFFICE

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date on which this judgment is sent to the parties. If written reasons are provided, they will be entered into the tribunal's online register, which is visible to search engines.