



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Jose de Araujo

**Respondent:** Surecare Barnet Limited

**Heard at:** Bury St Edmunds      **On:** 10 September 2019

**Before:** Regional Employment Judge Byrne (sitting alone)

## JUDGMENT

1. The claims brought by the claimant under the provisions of S.47B of the Employment Rights Act 1996 that is protected disclosure detriment claims were struck out with effect from 18 January 2019 due to non-compliance with the Unless Order made on the 14 December 2018 and sent to the parties on the 14 January 2019 and this part of the judgment amounts to a written notice to the parties pursuant to Rule 30(1).
2. I strike out the claims of unfair dismissal brought under the provisions of Sections 100, 101A, 103A and 104 of the Employment Rights Act 1996 because they have no reasonable prospect of success.
3. I order that the claimant pay a deposit in the sum of **£500** by **15th November 2019** as a condition of continuing to advance the claim for outstanding holiday pay, referred to in the pleadings as a claim for damages to breach of contract. This is a later date than that indicated to the parties at the hearing namely 22 October 2019. I have extended the time for payment applying the provision of Rule 5 given the delay that has occurred in sending this judgment to the parties for which I apologise.
4. I make a wasted Costs Order against Mr Wayne Lewis the claimant's counsel in the sum of **£2,120** payable to the respondent.

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**Regional Employment Judge Byrne**

Date:...15 October 2019

Sent to the parties on:

.....15.10.19.....

For the Tribunal:

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