



EMPLOYMENT TRIBUNALS

Claimant
Mr S Taylor

v

Respondent
Mr Bit Ltd

Heard at: Southampton

On: 13 December 2019

Before: Employment Judge Rayner

Appearances

For the Claimant: Mr S Taylor (in person)

For the Respondent: No appearance

JUDGMENT

1. The Claimant's claims for unpaid wages, unpaid notice pay holiday pay and an unlawful deduction from his wages succeeds.
2. The Respondent will pay to the Claimant the total sum of **£3390.62** which is calculated as follows.

Unpaid wages for April 2019	£1607.71
Unpaid estimated overtime for April 2019	£470.84
one weeks notice pay	£538.46
unpaid holiday pay	£592.98
unlawful deduction from wages	£180.63
Total net amount to be paid by Respondent to the Claimant	£3390.62

3. The Claimants claim that he was discriminated against on grounds of a disability in that he was dismissed is not well founded. The Claimant cannot rely upon an addiction to painkillers as an impairment because of the exclusion in regulation 3 part 2 of the Equality Act 2010 (Disability) Regulations 2010. The Claimant was not discriminated against on grounds of disability and the claim is dismissed.
4. The Claimant's claim that he was discriminated against on grounds of race on the basis of his Scottish nationality is dismissed. The alleged

acts of discrimination did not occur during the course of the Claimant's employment by Mr Bit Ltd but during previous employment with a different employer.

5. The Claimants claim for loss of future earnings is dismissed. The Claimant does not bring a claim of unfair dismissal and does not have 2 years qualifying employment.
6. The Telephone Case Management Preliminary Hearing listed for 2 January 2020 is vacated.

Employment Judge Rayner

Date 13 December 2019

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