



EMPLOYMENT TRIBUNALS

Claimant: Mr G Battison

Respondent: British Polythene Limited

HELD AT: Liverpool

ON: 19 and 20 June, 19
December 2019

BEFORE: Employment Judge Horne

MEMBERS: Mr M Gelling
Mrs J E Williams

REPRESENTATION:

Claimant: Mr S Pinder, solicitor
Respondent: Ms J Smeaton, counsel

JUDGMENT

The unanimous judgment of the tribunal is as follows:

1. The claimant was not subjected to any detriment on the ground that he made a protected disclosure.
2. The claimant was not subjected to any detriment on the ground that he had performed any functions as a health and safety representative.
3. The claimant was not subjected to any detriment for the purpose of preventing or deterring him from taking part in the activities of an independent trade union or penalising him for doing so.
4. This paragraph relates to the detriments referred to in paragraphs 4.1, 4.2 and 4.3 of the agreed list of issues. The tribunal has, in any event, no jurisdiction to consider the complaint in respect of any of these detriments. This is because the claim was presented after the expiry of the statutory

time limit and it was reasonably practicable for the claim to have been presented before the time limit expired.

5. The sole or principal reason for the claimant's dismissal was not any of the reasons mentioned in section 100 or 103A of the Employment Rights Act 1996 or section 152 of the Trade Union and Labour Relations (Consolidation) Act 1992. The claimant therefore had no right not to be unfairly dismissed.

19 December 2019

Employment Judge Horne

SENT TO THE PARTIES ON

21 January 2020

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 within 14 days of the date on which the judgment is sent to the parties. If written reasons are provided, they will be entered on the tribunal's online register, which is visible to internet searches.