



EMPLOYMENT TRIBUNALS

Claimant
Mr C Porter

v

Respondent
ABM Technical Services Ltd

PRELIMINARY HEARING

Heard at: Bristol

On: 27, 28, 29, 30 and 31 July 2020

Before: Employment Judge Midgley

Appearances

For the Claimant: Miss J Porter, claimant's mother

For the Respondent: Mr J Chambers, Solicitor

JUDGMENT

1. The claimant's claims that he suffered detriments on the grounds of having made protected disclosures are not well founded and are dismissed. The claimant was not subjected to the detriments alleged or, where he suffered a detriment, it was not on the grounds that he made a protected disclosure.
2. The claimant's claim that he was automatically unfairly dismissed on the grounds that he made protected disclosures is not well founded and is dismissed. The respondent did not breach the implied term of mutual trust and confidence by subjecting the claimant to detriments on the grounds that he had made protected disclosures.
3. The claimant's claim for notice pay is not well founded and is dismissed. The claimant resigned and was not dismissed for the purposes of s.95 ERA 1996.
4. The claimant's claims of harassment related to the protected characteristic of age are not well founded and are dismissed.
5. The claimant's claims of direct age discrimination, with the exception of the complaint concerning Mr Mundle's comments on 12 January 2018, are not well founded and are dismissed. The complaint of direct age discrimination relating to Mr Mundle's comments are well founded, but the Tribunal does not have jurisdiction to hear it as it was presented out of time and it would not be just and equitable for time to be extended. The claim is therefore dismissed.

Employment Judge Midgley

Dated: 31 July 2020

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Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.