



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: 4101959/2020 (V)

Preliminary Hearing (Public) Held in Edinburgh by Cloud Based Video
Platform (CVP) on 27 April 2021

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Employment Judge Mr. A. Tinnion

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Mr. James Leckie

**Claimant
In Person**

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The Lookout By Gardeners Cottage

1st Respondent

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The Gardeners Cottage Ltd

**2nd Respondent
Represented by:
Miss S. Turner**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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Upon hearing the evidence and submissions of the Claimant and Miss S. Turner (Head of Finance/Compliance) for the 2nd Respondent, and for the reasons given orally at the Preliminary Hearing on 27 April 2021, the judgment of the Employment Tribunal (the “**Judgment**”) on the following preliminary issues under Rule 53(1)(b) is as follows:

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1. The Claimant’s complaints of (a) unlawful deduction from wages (b) wrongful dismissal/notice pay, have been presented outside the statutory time limits.

2. It was reasonably practicable for the Claimant to have presented his complaints of

(a) unlawful deduction from wages

5 (b) wrongful dismissal/notice pay, within the statutory time limits.

3. The Employment Tribunal has no jurisdiction over the Claimant's complaints of

(a) unlawful deduction from wages

10 (b) wrongful dismissal/notice pay.

4. The Claimant's complaints of (a) unlawful deduction from wages (b) wrongful dismissal/notice pay, are dismissed.

15 Note

1. Written reasons for the Judgment will not be provided unless they are asked for by any party at the hearing itself or by a written request presented within 14 days of the sending of the written record of the decision. If no such request is received, the Employment Tribunal shall provide written reasons only if
20 requested to do so by the Employment Appeal Tribunal or a court.

Employment Judge: Antoine Tinnion

Date of Judgment: 27 April 2021

Entered in register: 13 May 2021

25 and copied to parties