



EMPLOYMENT TRIBUNALS

Claimant: Mr S Moundanga

Respondent: Assist Resourcing UK Ltd

Heard : Via CVP **On:** 25th June 2021

Before: Employment Judge Eeley (sitting alone)

Representation

Claimant: In person

Respondent: Ms L Darnley, solicitor.

JUDGMENT

1. The claimant's claim of unauthorized deductions from wages relating to underpaid wages in the period up to and including 23rd November 2019 is struck out for lack of jurisdiction. The claim was presented to the Tribunal outside the statutory time limit in section 23 Employment Rights Act 1996. The Tribunal finds that it was reasonably practicable for the claimant to have complied with the time limit and declines to extend time pursuant to s23(4) of the 1996 Act.
2. The claimant's claim of race discrimination in relation to unpaid £50 "stand down" fees for cancelled shifts is not struck out pursuant to rule 37(1)(a) or (b) of the Employment Tribunal Rules of Procedure 2013 but is made subject to a separate deposit order of today's date.

Employment Judge Eeley

Date: 25th June 2021

JUDGMENT SENT TO THE PARTIES ON

29 June 2021

FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.