



EMPLOYMENT TRIBUNALS

Claimant: Mr A Lauzinieks

Respondents: Qatar National Bank (QPSC)

Heard at: London Central

On: 14 June 2021

Before: Employment Judge F Spencer

Representation

For the Claimant: in person

Interpreter for the Claimant- Mrs A Williamson (Latvian/English)

For the Respondent: Mr C Rajgopaul, counsel

JUDGMENT

The Claimant's claims of:

- (i) breach of contract; and
- (ii) that he was dismissed contrary to section 103A of Employment Rights Act 1996 because of his emails to (i) Mr Carangelo dated 8 October 2021 and (ii) Mr R Rico dated 8 December 2020

are struck out as having no reasonable prospect of success .

This does not affect the remaining parts of the Claimant 's claim as set out in the accompanying case management order.

REASONS

1. In the claims numbered above the Claimant claims breach of contract and has ticked the box for "notice pay".
2. The Claimant's written contract entitles him to be given one week's notice of termination. The Claimant accepts that he has been paid 4 week's notice, but says he had to work part of his notice period he is entitled to additional pay. This claim is misconceived. A right to notice is to "notice" – it is not a right to be paid during that notice period unless the employer

dispenses with the employee's service before the expiry of the notice period.

3. The Claimant also claims that he was automatically unfairly dismissed because he made public interest disclosures. He relies, inter alia, on the following as amounting to protected disclosures
 - a. An email to Mr Carangelo dated 8th October 2020; and
 - b. An email to Mr Rico dated 8th December 2021.
4. The first email makes no disclosure of information which tends to show a breach of a legal obligation and cannot amount to a protected disclosure.
5. The second email was sent after the Claimant had been given notice that his employment was to be terminated and chronologically cannot have been the reason for his dismissal.
6. The claims are therefore struck out insofar as they seek to rely on these emails as protected disclosures. The Claimant may continue to rely on other protected disclosures as set out in the accompanying case management order.

Employment Judge F. Spencer
Date: 28th June 2021

ORDER SENT TO THE PARTIES ON

29/06/2021.

FOR THE TRIBUNAL