



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Z Wisniewski

v

GW Atkins & Sons Limited

Heard at: Cambridge (by CVP)

On: 21, 22, 23 and 24 June 2021

Before: Employment Judge Ord

Members: Mrs C A Smith and Mrs W Smith

Appearances

For the Claimant: Mrs M Wisniewska, HR Consultant

For the Respondent: Mr N Cooksey, Counsel

JUDGMENT

It is the unanimous decision of the Employment Tribunal that:

1. The Claimant's complaints of unlawful deductions from wages, unpaid holiday pay and a breach of contract are dismissed on withdrawal.
2. The Claimant's complaints that he was automatically unfairly dismissed and the victim of unlawful discrimination on the ground of his race are not well founded and are dismissed.
3. The Respondent accepts that the Claimant's complaint that he was not able to take daily rest breaks in accordance with the provision of Regulation 12 of the Working Time Regulations 1998 is well founded and that claim succeeds by consent.
4. In so far as that complaint relates to the period prior to 6 August 2018, that complaint was not presented in time and the Tribunal has no jurisdiction to hear it.
5. The Claimant's complaint that he was refused daily rest breaks contrary to Regulation 12 of the period 6 – 10 August 2018 succeeds as it is conceded by the Respondent.
6. The Remedy to which the Claimant is entitled for that breach of the Working Time Regulations 1998 is agreed in the sum of **£14.90**.

7. Payment of the agreed sum is to be made by 1 July 2021.

29 June 2021

Employment Judge Ord

Sent to the parties on: 13 July 2021

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For the Tribunal Office

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.