



EMPLOYMENT TRIBUNALS

Claimant

Mr O Kightley

v

Respondent

SIKA Limited

Heard at: Norwich (by CVP)

On: 18 January 2021

Before: Employment Judge Postle

Appearances

For the Claimant: In person.

For the Respondent: Mr M Ludlow (Counsel).

COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals.

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by Cloud Video Platform (V). A face to face hearing was not held because it was not practicable and no-one requested the same and all issues could be determined in a remote hearing.

JUDGMENT

1. It was not entirely clear the claims the claimant was making but the Tribunal took the view he may be making claims of the following under the Employment Rights Act 1996:-
 - (i) Section 57A – Time off for dependents.
 - (ii) Section 99 – Leave for family reasons.
 - (iii) Section 80F – Statutory right to request contract variation.
 - (iv) Section 104C – Flexible working.
 - (v) Section 104 – Assertion of statutory right.

2. All of those claims are dismissed as having no reasonable prospect of success particularly as the claimant's pleaded claim appears only to be refusal of a flexible working application.

Employment Judge Postle

Date: ...2/2/21.....

Sent to the parties on:

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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.