



THE EMPLOYMENT TRIBUNALS

Claimant: Mr D Whinham

Respondent: Banner Contracts (Halnaby) Ltd

Heard at: Newcastle CFCTC (By CVP)

On: 11 & 12 August 2021

Before: Employment Judge Newburn

Members:

Representation:

Claimant: In person

Respondent: Ms R Dawson (Solicitor)

JUDGMENT

1. The Claimant's claim of unfair dismissal pursuant to section 98 of the Employment Rights Act 1996 is not well founded and is dismissed.
2. The Claimant's claim for breach of contract brought under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 in respect of the Claimant's notice pay is not well-founded and is dismissed.
3. The Claimant's claim for unlawful deduction from wages in respect of his holiday pay is dismissed upon withdrawal.

EMPLOYMENT JUDGE NEWBURN

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 12 August 2021**

Format of the Hearing

The hearing was conducted by the parties attending by Cloud Video Platform. It was held in public in accordance with the Employment Tribunal Rules. It was conducted in that manner because a face to face hearing was not possible in light of the Government Guidance in connection with the coronavirus pandemic and it was in accordance with the overriding objective to do so

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.

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.