



EMPLOYMENT TRIBUNALS

Claimant: Mr. M. Da Costa (C1)
Mr. K. Wilson (C2)
Mr. C Allen-Thomas (C3)

Respondent: British Gas Trading Ltd.

HELD AT: Wrexham by CVP **ON:** 2nd February 2022

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimants: Mr Wilson (accompanied and assisted by Mr Da Costa) for all three claimants

Respondent: Ms. R. Barrett, Counsel

PRELIMINARY HEARING JUDGMENT

The judgment of the Tribunal is:

1. C1's claim of entitlement to a redundancy payment is dismissed upon withdrawal.
2. The claimants' applications to amend their claims to include claims of Unfair Dismissal based on the principle of Hogg v Dover College [1990] ICR 39 are refused and dismissed.
3. C1's unamended claim is dismissed as the Tribunal has no jurisdiction to hear it.
4. The applications made by C2 and C3 to amend their claims to include claims of constructive unfair dismissal are granted.
5. Pursuant to the above, further Orders were made which are set out in a separate document.

Employment Judge T.V. Ryan
Date: 02.02.22

Case Number: 1600560/2018
1600563/2018
1600575/2018

JUDGMENT SENT TO THE PARTIES ON 9 February 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by any party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.