



EMPLOYMENT TRIBUNALS

Claimant

Respondent

v

Mr W Golas

(1) Polat Ackicek
(2) PYA1 Ltd

Heard at: Newcastle (by CVP)

On: 10 February 2022

Before: Employment Judge Loy

Interpreter: Ms A Klepajczuk

Appearances

For the Claimant: Miss A Murray, a friend

For the Respondent: Miss J Charalambous, Peninsula

JUDGMENT

1. The claimant's employer was at all material times the second respondent, PYA1 Ltd.
2. At no stage was the first respondent the claimant's employer and the proceedings against him are therefore dismissed.
3. The claimant does not have the qualifying period of continuous employment required by section 108 of the Employment Rights Act 1996 ("the ERA") in order to make a claim for "ordinary" unfair dismissal contrary to section 94 of the ERA. The Tribunal therefore has no jurisdiction to consider that complaint.
4. The claimant's application to amend his claim form to bring a claim for automatically unfair dismissal contrary to section 104 of the ERA is refused.
5. The claimant's claim for wrongful dismissal was not brought within the time limit prescribed by article 7 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 and the Tribunal therefore has no jurisdiction to consider that complaint.

Case Number: 2501706/2020 & 2501707/2020

6. The claimant's claim for unlawful deductions from wages was not brought within the time limit prescribed by sections 23(2) to (4) of the ERA and the Tribunal therefore has no jurisdiction to consider that complaint.
7. The claimant's claim for pay in respect of accrued but untaken holiday was not brought within the time limit prescribed by Regulation 30(2) of the Working Time Regulations 1998 and the Tribunal therefore has no jurisdiction to consider that complaint.

Employment Judge Loy

15 February 2022

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.