



EMPLOYMENT TRIBUNALS

Claimant: (1) Mr N Gilliatt
(2) Mr A Ewan

Respondent: ATAG Cables & Tapes Limited (in liquidation)

Heard at: Nottingham **On:** 26 April 2022

Before: Employment Judge Varnam

Representation

Claimant: Both Claimants in person

Respondent: No appearance or representation

JUDGMENT

1. The Tribunal determines that:

- (1) The First Claimant's unfair dismissal claim was presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.
- (2) The First Claimant's breach of contract claim was presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.
- (3) The First Claimant's claims of unlawful deductions from wages, except for his claim in respect of wages said to have been earned on 1 June 2022, was presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.
- (4) The First Claimant's claim for a payment in lieu of accrued but untaken annual leave was presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.
- (5) The Second Claimant's unfair dismissal was presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.
- (6) The Second Claimant's breach of contract claim was presented out

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of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.

- (7) The Second Claimant's claims of unlawful deductions from wages were presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present them within the time limit.
 - (8) The Second Claimant's claim for a payment in lieu of accrued but untaken annual leave was presented out of time and the Tribunal is not satisfied that it was not reasonably practicable to present it within the time limit.
2. All of the claims that the Tribunal has determined to be out of time are struck out pursuant to rule 37 of the Employment Tribunals Rules of Procedure, as having no reasonable prospect of success.
 3. The final hearing on 27-28 July 2022 will remain listed, and will be used to resolve those claims which have not been struck out. Separate case management orders have been issued in respect of those matters.

Employment Judge **Varnam**

26 April 2022

Notes

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.

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