



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Stuart Wells

**Respondent:** Leaside Timber & Builders Merchants Limited

**Heard at:** Watford Hearing Centre (by cloud video platform)

**On:** 27 & 28 September 2022 (2 days reduced from 4 days)

**Before:** Employment Judge G Tobin

**Members:** Mr R Clifden  
Mrs J Hancock

## Representation

**Claimant:** in person

**Respondent:** Mr D Cooper (Managing Director)

# JUDGMENT

*This has been a remote hearing which has been agreed to by the parties. The form of remote hearing was by HM Courts & Tribunal Service Cloud Video Platform (wholly remote). A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.*

The unanimous Judgment of the Employment Tribunal is that: -

1. The claimant was not constructively dismissed pursuant to s95(1)(c) Employment Rights Act 1996.
2. The claimant was not dismissed in breach of contract (i.e. wrongfully dismissed).
3. The claimant was not directly discriminated against by the respondent on the grounds of his sex, in breach of s13 Equality Act 2010.
4. The non-payment of an annual bonus for the financial year 2019/2020 did not represent an unauthorised deduction in the claimant's wages, under s13 Employment Rights Act 1996.

**5. Proceedings are now dismissed.**

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Employment Judge Tobin  
Dated: 28 September 2022

JUDGMENT SENT TO THE PARTIES ON

2 October 2022

GDJ  
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.

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All judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.