



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms N Armitage  
**Respondents:** (1) Ryan Simpson Limited  
(2) Ryan Simpson

## AT A HEARING

**Heard at:** Leeds                      **On:** 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> July 2022  
**Before:** Employment Judge Lancaster  
**Members** M Lewis  
L Priestley

### Representation

**Claimant:** Mr P Johnson, solicitor  
**Respondent:** Mrs E Afriyie, in house counsel Peninsula

## JUDGMENT

### On determination of a preliminary issue

1. The claims of unfair dismissal, breach of contract, unauthorised deductions from wages and failure to pay accrued holiday pay as against the Second Respondent, Ryan Simpson are dismissed. They were not brought in time although it would have been reasonably practicable to have done so, and were not in any event presented within a reasonable time thereafter.
2. The claims of failure to make reasonable adjustments as against as against the Second Respondent, Ryan Simpson were not brought within 3 months of the end of employment, which is last possible date of any breach, but it is just and equitable to extend the time for presentation until 2<sup>nd</sup> July 2021 and they will proceed.

### After a hearing on the merits

3. All subsisting substantive claims as against both Respondents are dismissed.
4. The Claimant's application for costs under rule 76 (2) of the Employment Tribunals Rules of Procedure 2013 is adjourned part-hard to be considered on the papers, after submission of further written representations upon the schedule of costs from the Claimant on or before 14<sup>th</sup> July, and a reply by the Respondents on or before 28<sup>th</sup> July

Cases: 1803367/2021 &  
1803466/2021

2022. The parties will be notified of the date of the reconvened hearing but are not required to attend.

EMPLOYMENT JUDGE LANCASTER

DATE 8<sup>th</sup> July 2022

FOR SECRETARY OF THE TRIBUNALS

**Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless 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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