



EMPLOYMENT TRIBUNALS

Claimant

Mr C Palmer

Respondent

Polypipe Limited

v

Heard at: Sheffield

On: 14, 15, 16, 17, 18 and 21 November 2022

Before: Employment Judge A James
Ms M Cairns
Mr J Howarth

Representation

For the Claimant: In person

For the Respondent: Mr A Ismail, counsel

JUDGMENT

- (1) The claim for entitlement to the same basic working and employment conditions (Regulations 5 and 6, Agency Workers Regulations 2010) is upheld, in relation to the allegation that the respondent refused to allow the claimant to finish work at 16:00 and claim pay for work up to 17:45 on the same day; which employed drivers could, subject to certain conditions being met.
- (2) The claimant is entitled to a minimum award of two weeks' pay pursuant to Regulation 18(12)(a) of the Agency Workers Regulations 2010 in respect of that claim; the respondent is therefore ordered to pay to the claimant the sum of £1277.50 (£638.75 x two).
- (3) The claim for entitlement to the same basic working and employment conditions (Regulation 5 Agency Workers Regulations 2010) is not upheld and is dismissed, in relation to the allegation that the respondent refused to pay the Claimant in relation to rest breaks and/or rest periods.
- (4) The claim for detriment (Regulation 17 Agency Workers Regulations 2010) is upheld in relation to the termination of the claimant's assignment with the respondent on or about 17 September 2021.

- (5) The respondent is ordered to pay to the claimant the sum of £5,000 for injury to feelings in respect of the above detriment claim; together with interest of £471.24 (8% of £5,000 x 1.1781 (i.e., one year and 65 days)).
- (6) The remaining five claims for detriment (Regulation 17 Agency Workers Regulations 2010) are not upheld and are dismissed.

Employment Judge James
North East Region

Dated 22 November 2022

Sent to the parties on:

26 November 2022

CM Haines
For the Tribunals Office

Notes

Written reasons

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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