



EMPLOYMENT TRIBUNALS

Claimant: Mr Matthew Gregory

Respondent: Calder Industrial Materials Limited

Heard at: Manchester Employment Tribunals

On: 30 August 2023

Before: Employment Judge Tobin

Attendance

Claimant: Did not attend or participate

Respondent: Mr T Wood (counsel)

JUDGMENT

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by a video hearing through HMCTS Cloud Video Platform. A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.

The Judgment of the Employment Tribunal is that:

1. The claimant not having attended the hearing, the hearing proceeded under rule 47 of The Employment Tribunals Rules of Procedure, schedule 1 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013.
2. The claimant's claims of disability discrimination, victimisation, detriment for making a protected disclosure, automatic unfair dismissal, wrongful dismissal, unlawful deduction of wages and breach of contract stand dismissed for non-compliance with the Unless Order of Employment Judge Whittaker of 27 June 2023, pursuant to rule 38 of The Employment Rules of Procedure. It is not in the interests of justice to set aside this dismissal.

3. The claimant's remaining claims of health and safety detriment, detriment suffered for asserting a statutory right and detriment on grounds related to trade union membership or activities (including blacklisting) are struck out under rule 37(1)(a) of The Employment Tribunals Rules of Procedure on the basis that they have no reasonable prospects of success.
4. The respondent's application for reimbursement of its legal costs, dated 30 June 2023, succeeds to the extent that the Tribunal awards and orders that the claimant shall pay the respondent a contribution towards its legal costs in the amount of £1,750 plus vat.
5. All outstanding matters having been concluded; proceedings are now dismissed.

Employment Judge Tobin
Dated: 30 August 2023
JUDGMENT SENT TO THE PARTIES ON

12 September 2023

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.

Public access to employment tribunal decisions

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