



EMPLOYMENT TRIBUNALS

Claimant: Mr L Baker

Respondent: Wirral University Teaching Hospital NHS Foundation Trust

Heard at: Liverpool

On: 18-22 September 2023

Before: Employment Judge Buzzard
F Crane
R Cunningham

REPRESENTATION:

Claimant: Ms C Widdett (Counsel)

Respondent: Mr M Smith (Solicitor)

JUDGMENT

1. The claimant's claim that the respondent breached regulation 13(10) of the Working Time Regulations 1998 by not allowing him to carry annual leave forward from the 2020/2021 leave year is not well founded and is dismissed.
2. The claimant's claims that the respondent made unlawful deductions from his wages whilst he was absent shielding at various points in 2020 and 2021 are not well founded and are dismissed.
3. The claimant's claim that the respondent subjected the claimant to discrimination arising from disability by paying him statutory sick pay rather than occupational sick pay from 8 April 2021 to 18 May 2021 is not well founded and is dismissed.
4. The claimant's claim that the respondent discriminated against him by failing to reasonably adjust the method of calculating his pay during shielding is not well founded and is dismissed.
5. The claimant's claim that the respondent discriminated against him by failing to reasonably adjust the limit applied to the amount of annual leave he could carry forward from the 2020/2021 leave year is not well founded and is dismissed.

6. The claimant's claim that the respondent discriminated against him by failing to reasonably adjust to an alleged requirement for him to attend the workplace to work is not well founded and is dismissed.
7. All other claims pursued by the claimant are dismissed following withdrawal by the claimant at this hearing.

Employment Judge Buzzard
22 September 2023

JUDGMENT SENT TO THE PARTIES ON
28 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.

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