



EMPLOYMENT TRIBUNALS

Claimant: Mr L. T. Rushton

Respondent: Rose County Fencing Limited (in Voluntarily Creditors Liquidation)
(1)

And

The Secretary of State for Business Energy & Industrial Strategy
(2)

HELD AT: Manchester (by video over CVP) **ON:** 24th October 2023

BEFORE: Employment Judge Greer

REPRESENTATION:

Claimant: In person (by CVP)

Respondent: Ms Ware (Legal Representative) (by CVP)

JUDGMENT

The judgment of the Tribunal is that:

1. The Claimant's complaint against the Secretary of State's decision was brought out of time, and it was reasonably practicable for it to have been brought in time. The Tribunal does not therefore have jurisdiction to hear the claim and the claim is struck out.
2. The Claimant's claim for unlawful deduction from wages and unpaid holiday pay was brought out of time and it was reasonably practicable for it to have been brought in time. The Tribunal does not therefore have jurisdiction to hear the claim and the claim is struck out.
3. The Claimant having made a referral to the Employment Tribunal over the question as to the Claimant's right to a redundancy payment after the end of the period of six months beginning with the relevant date but during the period of six months immediately following the first period of six months and it

appears to the Tribunal that it would not be just and equitable that the claimant should receive a redundancy payment. The Tribunal does not therefore have jurisdiction to hear the claim and the claim is struck out.

Employment Judge Greer

Date 24 October 2023

JUDGMENT SENT TO THE PARTIES ON

Date: 30 October 2023

FOR THE TRIBUNAL OFFICE