



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Oluokun

**Respondent:** Birdsall Services Limited

**Heard at:** Bury St Edmunds and by CVP

**On:** 4 to 7 December 2023

**Before:** Employment Judge Manley  
Ms S Laurence-Doig  
Mr G Page

## Representation

Claimant: In person

Respondent: Ms B Dennis, counsel

# JUDGMENT

- 1 The tribunal has no jurisdiction to hear the claim for unfair dismissal as the claimant did not have 2 years' service with the respondent and none of the circumstances in s108 (3) Employment Rights Act 1996 apply. That claim is dismissed.
- 2 The claimant's claim for direct race discrimination fails and is dismissed.
- 3 The claimant's claim for harassment related to race fails and is dismissed.
- 4 The claimant made one protected act in February 2021 but his claim for victimisation arising from that protected act fails and is dismissed.
- 5 The claimant's claim for holiday pay succeeds in so far as the respondent accepts he is owed £803.88 and it is ordered that the respondent pays that sum to the claimant.
- 6 The claimant's claim for unlawful deduction of wages fails and is dismissed.

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Employment Judge Manley

Date 7 December 2023

JUDGMENT SENT TO THE PARTIES ON  
15 January 2024

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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.