



EMPLOYMENT TRIBUNALS

Claimant: Mr D Hughes

First Respondent: East of England Ambulance Service NHS Trust

RECORD OF AN OPEN PRELIMINARY HEARING

Heard at: Watford (by CVP) **On:** 12 December 2023

Before: Employment Judge Daniels (sitting alone)

Appearances:

For the claimant: In person

For the Respondent: Mr P Keith (Counsel)

JUDGMENT

1 The claims under cases 3305983/2023 and case 3306032/2023 are to be heard together.

2 The Employment Tribunal has no jurisdiction to hear the claim with regard to the claimant's pay between September 2021 and February 2022 as the claim relates to an alleged breach of contract (relating to his transfer from Luton to Luton Kempston base and the effects of that) and not an unlawful deduction from wages in the above period regarding the work actually performed. Further, such claim was in any event out of time and it would not be reasonably practicable to extend time.

3 The Employment Tribunal has no jurisdiction to hear the claim with regard to the claimant's pay between 3 August 2022 and 26 October 2022 (when the claimant was suspended, absent sick and/or stood down from service) as such claim relates to an alleged breach of contract and not an unlawful deduction from wages. Further, such

Case numbers 3305983/23 and 3306032/23

claim was in any event out of time and it would not be reasonably practicable to extend time.

4 The Employment Tribunal has no jurisdiction to hear the claim with regard to the claimant's holiday pay between November 2022 and February 2023 for £1697.96 (including by reference to a period when the claimant was suspended, absent sick and/or stood down from service) or a further or related claim for £247.40 as such claims relate to an alleged breach of contract (prior to such dates) and not an unlawful deduction from wages.

5 For the avoidance of doubt, no further claims are left which are in the Tribunal's jurisdiction and this judgment therefore brings these proceedings to a close.

Note: The Tribunal notes that the claimant intends to pursue some of the above claims in the courts by way of a claim for damages for breach of contract.

Any request for reasons for this judgment must be submitted within 14 days of the date hereof.

Employment Judge Daniels

12 December 2023

Sent to the parties on:

23/01/2024

For the Tribunal: