



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Festus George Sawyerr

v

Clipfine Limited

Heard at: London Central (in person, in public)

On: 29 – 31 January, 3 - 4 February 2025

Before: Employment Judge P Klimov (sitting alone)

Appearances:

For the claimant: in person

For the respondent: Mr R Bhatt, counsel

JUDGMENT

The judgment of the Tribunal is as follows:

1. The complaint of unauthorised deduction from wages was not presented within the applicable time limit. It was reasonably practicable to do so. This complaint is therefore dismissed.
2. The complaints of direct race discriminations and harassment related to race were not presented within the applicable time limit. It is not just and equitable to extend the time limit. These complaints are therefore dismissed.
3. The complaint of breach of contract with respect to the alleged failure to reimburse the claimant for prescription glasses (£50), having been withdrawn by the claimant, is dismissed pursuant to Rule 51 of the Employment Tribunal Procedure Rules 2024.
4. The complaint of unfair dismissal for making a protected disclosure, contrary to section 103A of the Employment Rights Act 1996, is not well-founded and is dismissed.

5. The complaint of breach of contract with respect to the alleged failure to reimburse the claimant for taxi fare (£34.90) is not well-founded and is dismissed.
6. The complaint of breach of contract in relation to notice pay (wrongful dismissal) is not well-founded and is dismissed.
7. The respondent's costs order application succeeds in part, because:
 - 7.1 the claimant's complaint of breach of contract with respect to the two expense items (prescription glasses and taxi fare) had no reasonable prospect of success and the claimant has acted unreasonably in bringing these complaints,
 - 7.2 the claimant's complaint of unfair dismissal for making a protected disclosure, contrary to section 103A of the Employment Rights Act 1996, had no reasonable prospect of success and the claimant has acted unreasonably in continuing to pursue this complaint after 30 January 2025,
 - 7.3 the claimant's complaint of breach of contract in relation to notice pay (wrongful dismissal) had no reasonable prospect of success and the claimant has acted unreasonably in continuing to pursue this complaint after 31 January 2025.
8. The claimant is therefore ordered to pay to the respondent **£5,000** with respect to the respondent's legal costs. The payment must be made within 14 days of the date of this Judgment.

Employment Judge Klimov

4 February 2025

Sent to the parties on:

7 February 2025

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For the Tribunals Office