



EMPLOYMENT TRIBUNALS

Claimant: Mr J Haynes

Respondent: Sunbelt Rentals Limited

Heard at: Leicester

On: 21 to 25 January 2025
(21 January 2025 spent
reading)

Before: Employment Judge Welch
Mr K Libetta
Mr K Rose

REPRESENTATION:

Claimant: Mr A Barnes, Counsel

Respondent: Mr J Cook, Counsel

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

Automatic unfair dismissal (Constructive)

1. No evidence having been presented, the complaint of automatic unfair dismissal for making protected disclosures is dismissed.

Detriment for making protected disclosures (section 47B Employment Rights Act 1996 ('ERA'))

2. No evidence having been presented, the complaint of detriment for making protected disclosures is dismissed.

Health and Safety detriment (section 44 ERA)

3. No evidence having been presented, the complaint of health and safety detriments (section 44 Employment Rights Act 1996) is dismissed.

Wages

4. No evidence having been presented, the complaint of unauthorised deductions from wages in respect of bonus is dismissed.
5. The complaint of unauthorised deductions from wages in respect of sick pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 1 to 29 April 2023.
6. The respondent shall pay the claimant **£2,478.93**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.

Unfair Dismissal (Constructive)

7. The complaint of constructive unfair dismissal is not well-founded. The claimant was not unfairly dismissed.

Approved by:
Employment Judge Welch
24 January 2025

Judgment sent to the parties on:

...27 January 2025.....

For the Tribunal:

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Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.