



EMPLOYMENT TRIBUNALS

Claimant: Mr K G Abolore

Respondent: Mr A Waqas

Heard at: Nottingham by CVP **On:** 28 August 2026

Before: Employment Judge Michael Butler (sitting alone)

Appearances

Claimant: In person

Respondent: Mr Wise-Walsh, Counsel

JUDGMENT ON A PRELIMINARY HEARING

The judgment of the Employment Judge is:

1. The claim of unfair dismissal is struck out.
2. The claim of detriment for making a public interest disclosure is dismissed;
3. The claim against the Respondent for making unlawful deductions from the Claimant's wages is dismissed as the Tribunal has no jurisdiction to hear it.

SUMMARY REASONS

Background

1. The Claimant presented his claim to the Tribunal on 20 January 2026. He entered into early conciliation between 14 and 20 January 2026. He was employed as a Health Care Assistant from 1 September 2024 until his resignation on 18 February 2025.
2. The Claimant brings claims of unfair dismissal, whistleblowing and unauthorised deductions from wages in the sum of £9,900. As he had less than 2 years continuous employment he was given a strike out warning in respect of the unfair dismissal on 27 March 2026 requiring reasons why it should not be struck out by 3 April 2026. Today the Claimant accepted he did not have 2 years continuous service and so I struck out the unfair dismissal claim.
3. I asked the Claimant about his whistleblowing claim but he was unable to give me any information as to when his disclosure was made, to whom it was made and how. He accepted that this should be dismissed and I have issued an appropriate judgment to this effect.
4. The focus of the Claimant's claim was, however, the claim for unauthorised deductions from his wages which he says the Respondent demanded and orchestrated using bullying, intimidation and threats relating to the Claimant's immigration status and his sponsorship certificate.

Unauthorised deductions

5. There are several major issues to this claim succeeding. The first is that the claim is out of time and the second is that the Respondent named above was not the Claimant's employer. In essence, the Claimant says that because Mr Waqas gave him instructions in his employment, he had sufficient control to be deemed to be his employer. The problem with this arguments is that all official documents and correspondence is in the name of Waash Group Chesterfield Limited as the Claimant's employer and it is entirely feasible that an employee or consultant of that company would have the authority to give its employees instructions.
6. The second issue is that the claim is out of time. The Claimant says it was not reasonably practicable to submit the claim within the statutory time limit because he was being threatened over his immigration status which he did not wish to lose and was an issue as the employer held his sponsorship certificate. The issue here is that, following his resignation, the Claimant instructed solicitors and would have been well aware of the time limit. He also argues that he did not know what to do in terms of submitting a claim having been told by HMRC he could do so many months later. However, he also says that a reason for not submitting his claim through his solicitors was that he could not afford the

£500 they had asked for on account of costs in order to submit the claim. This indicates he knew about the time limit and the fact that he submitted his claim himself without legal help confirms he could have done so within the time limit. Consequently, it was reasonably practicable to submit his claim in time.

7. There are two further obstacles to this claim succeeding. Firstly, the Claimant's early conciliation certificate names Mr Waqas as the employer when he was not. This is fatal to the claim succeeding. Secondly, he alleges that large sums of money were handed over in cash to Mr Waqas. As Mr Wise-Welsh point out, even if it is accepted that he handed over the cash, which it is not, the money would not be wages as only sums deducted by the employer from wages before payment can qualify as deductions from wages.
8. In this case the Claimant was fixated (there is no better description) on his allegation that Mr Waqas had pressured and threatened him into handing over the money. There is no evidence this has been reported to the Police or the immigration authorities, such acts being criminal offences. I explained that the correct forum for his claims would be the civil courts if he chose to pursue them. However, his letter of resignation, which contained an apology for having let his employer and others down will not exactly assist him, as it does not in this Tribunal.
9. I must also comment on the rather disgraceful behaviour of the Claimant's partner who began what can only be described as a tirade of allegations against Mr Waqas who she said had threatened her and called her disgusting names. She had no information to give about the issues in this case and, having tried to persuade her to stop shouting on three occasions without any success, I terminated the hearing.

Approved by:

Employment Judge M Butler

Dated: 28 August 2026

Sent to the parties on

...13 September 2026.....

For the Employment Tribunal

...Elliot Barker.....