

THE INDUSTRIAL TRIBUNALS

CASE REF: 22984/19

CLAIMANT: Shaun Fawcett
RESPONDENT: Mulgrew Haulage Ltd

JUDGMENT

The claimant's claims for unauthorised deductions from wages and breach of contract were dismissed for want of jurisdiction.

CONSTITUTION OF TRIBUNAL

Employment Judge (sitting alone): Employment Judge Tiffney

APPEARANCES:

The claimant appeared in person and represented himself.

The respondent was represented by Mr Jan Cunningham of Millar McCall Wylie LLP.

1. The judgment of the tribunal was given orally with reasons at the end of the Preliminary Hearing to determine whether the tribunal had jurisdiction to hear this claim.
2. In summary, the tribunal determined that the claims were lodged outside of the statutory time limit and that time should not be extended on the basis that it had been reasonably practicable for the claimant to lodge the claims within time.
3. Had the tribunal concluded that it had not been reasonably practicable for the claimant to lodge the claims within time, the tribunal would have concluded that it was not appropriate to exercise its discretion to extend time as the tribunal concluded on the facts, that claim was not presented within a reasonable period of time after the expiration of the statutory time-limit.

4. In the alternative, the tribunal determined that it did not have jurisdiction to hear the claims as they were res judicata having been determined in the Small Claims Court.

Employment Judge:

Date and place of hearing: 10 March 2020, Belfast.

This judgment was entered in the register and issued to the parties on: