



EMPLOYMENT TRIBUNALS

Claimant

Mr P Wignall

Respondent

Wincanton Group Ltd

Heard at: Leeds

On: 29, 30 November, 1, 2 December 2021

Before: Employment Judge Davies
Ms J Lancaster
Mr L Priestley

Appearances

For the Claimant:

In person

For the Respondent:

Mr H Sheehan (counsel)

JUDGMENT

1. The Claimant was disabled as defined in the Equality Act 2020 from December 2019 onwards.
2. The complaints of disability discrimination (direct discrimination, unfavourable treatment and failure to make reasonable adjustments) are not well-founded and are dismissed.
3. The complaints of unauthorised deduction from wages about holiday pay and pay in October and November 2019 were not brought within the time limit in the Employment Rights Act 1996. It was reasonably practicable to bring them within the time limit. The Tribunal does not have jurisdiction to deal with them. If the Tribunal had had jurisdiction, it would have found that those claims were not well-founded.
4. The complaint of unauthorised deduction from wages in respect of pay for 3 January 2020 is well-founded and succeeds. The Respondent shall pay him **£95.56**. The Claimant will be responsible for the payment of any tax or national insurance.
5. The complaint of unauthorised deduction from wages in respect of pay for 24 February 2020 is not well-founded and is dismissed.

Employment Judge Davies
2 December 2021

Sent to the parties on:
3 December 2021