



EMPLOYMENT TRIBUNALS

Claimant

Mr T Horton

v

Respondent

Minearc Systems Pty Ltd

Heard at: London Central Employment Tribunal

On: 20, 24, 25, 26 and 27 April 2017

Before: Employment Judge JL Wade
Mr P Secher
Ms M Jaffe

Appearances

For the Claimant: Mr A Roberts, Counsel

For the Respondent: Ms J Russell, Counsel

JUDGMENT

The judgment of this Tribunal is as follows:

1. The claimant's application to amend his particulars of claim is agreed.
2. His application to debar the respondent or to preclude it from giving evidence is refused.
3. The Tribunal makes an order for costs against the respondent in respect of the cost of making an application for an Unless Order on 4 April 2017 of £938.40 (inclusive of VAT).
4. The respondent did not treat the claimant less favourably in breach of the Part Time Worker Regulations and that claim is dismissed.
5. The respondent unfairly dismissed the claimant and the Tribunal orders it to pay compensation of £6,143.98 (no separate finding is made of wrongful dismissal).
6. The respondent unreasonably failed to comply with the ACAS Code and the Tribunal orders it to pay £1,536.00 to the claimant.

7. The respondent failed to pay accrued holiday pay to the claimant and the Tribunal orders it to pay £1,072.80 gross (and to deduct tax and national insurance) to the claimant.
8. In breach of contract the respondent failed to pay expenses of £6,034.80 to the claimant and the Tribunal orders it to pay him that sum.
9. The Tribunal orders the respondent to pay costs equivalent to the Tribunal fees to the claimant of £1,200.

Employment Judge Wade
27 April 2017

Written reasons have been requested and will be provided.