Case Number: 1809981/2018



EMPLOYMENT TRIBUNALS

Claimant Respondent

Mr M Owens v New Era Group Limited

HEARING

Heard at: Leeds On: 23 October 2018

Before: Employment Judge Shulman

Appearance:

For the Claimant: In Person

For the Respondent: Did not appear and was not represented

JUDGMENT

The Claimant's claims are dismissed on withdrawal by the Claimant.

REASONS

- 1. The Claimant's claim is one week's failure of notice and one day's holiday pay.
- 2. The Claimant informed the Tribunal at the Hearing that he was paid in full in respect of those claims on 19 October 2018 by bank transfer.
- 3. In addition, the Claimant claimed compensation for heartache and distress.
- 4. The Respondent could not contest this claim as it had not entered a Response.
- However, the Tribunal pointed out to the Claimant that it could not make a
 declaration that the Claimant's claims were well-founded under section 24(1)
 Employment Rights Act 1996 (ERA) because the claims had been satisfied by
 the Hearing.
- 6. Even if the Tribunal had made such a declaration the Tribunal did not have jurisdiction to make a compensation payment for heartache/distress, the only power the Tribunal had in respect of these claims being pursuant to section 21(2) ERA only permitted compensation for financial loss sustained by him of which he informed the Tribunal there was none.

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7.	The Tribunal therefore invited the Claimant to withdraw his claims which he did
	and the Tribunal dismissed the claims accordingly.

Employment Judge Shulman

Date: 01 November 2018

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