



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr D Evans

-v-

MJ Refrigeration Transport Limited

FINAL MERITS HEARING (CONDUCTED IN PERSON IN PUBLIC)

Heard at: **Centre City Tower, Birmingham**

On: **15-17 April 2024**

Before: **Employment Judge Perry, Mrs D Rance & Mrs E Shenton**

Appearances

For the Claimant:

In person

For the Respondent:

Mr N Dunn (HR representative)

JUDGMENT

- 1 The respondent did not contravene Part 5 Equality Act 2010 and did not fail to make reasonable adjustments. That claim is dismissed.
- 2 The claimant's constructive unfair dismissal complaint is not well founded and is dismissed.
- 3 The respondent has agreed to pay the claimant the sum of £762 gross within 14 days in relation to holiday pay (pursued as an unlawful deduction from wages). That complaint is adjourned for 14 days to allow those terms to be put into effect. In the absence of an application being made by either party on or before 8 May 2024 by agreement that complaint shall stand dismissed on withdrawal.
- 4 The claimant's remaining unlawful deduction from wages complaints are not well founded and are dismissed.

Employment Judge Perry

Wednesday 17 April 2024



Case Numbers: 1301703/2023

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

All judgments (apart from those under rule 52) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

The Employment Tribunal has no power to refuse to place a judgment or reasons on the online register, or to remove a judgment or reasons from the register once they have been placed there. If you consider that these documents should be anonymised in any way prior to publication, you will need to apply to the Employment Tribunal for an order to that effect under Rule 50 of the Employment Tribunal's Rules of Procedure. Such an application would need to be copied to all other parties for comment.