



EMPLOYMENT TRIBUNALS

Claimant (1): Mr R El Bouni
Claimant (2): Mr D Chiodi
Respondent: MKZS Investments Limited

Heard at: Midlands West Employment Tribunal

On: 21 October 2024

Before: Employment Judge Chivers

Representation

Claimants: In Person (assisted by Mr Evans, translator)

Respondent: Mr Katz, Consultant.

JUDGMENT

1. The first claimant's complaint of unfair dismissal was not presented in time. The claimant did not show that it was not reasonably practicable for the claim to be presented in time in accordance with section 111 Employment Rights Act 1996. The Tribunal have no jurisdiction to hear the claim and it is struck out.
2. The first claimant's complaint of non-payment of redundancy payment under s135 and 164 Employment Rights Act 1996 was not presented in time, but it is just and equitable to extend time. This claim will therefore proceed.
3. The first claimant's claim for unpaid holiday pay under regulations 13, 13A and 30 of the Working Time Regulations 1998 was not presented in time and there are no grounds to extend the time limit. The Tribunal has no jurisdiction to consider this claim and it is struck out.
4. The second claimant's claims of unfair dismissal and non-payment of statutory redundancy pay are struck out upon withdrawal.

Case Numbers: 1305602/2023 and 1305618/2023

5. The second claimant's complaint of unauthorised deductions from pay (by paying less than the National Minimum Wage) was not presented in time and there are no grounds for extending the time limit. The Tribunal has no jurisdiction to consider this claim and it is struck out.
6. The second claimant's claim for unpaid holiday pay under regulations 13, 13A and 30 of the Working Time Regulations 1998 was not presented in time and there are no grounds to extend the time limit. The Tribunal has no jurisdiction to consider this claim and it is struck out

Signed by: Employment Judge Chivers

Signed on: 22 October 2024

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>