



EMPLOYMENT TRIBUNALS

Claimant: Mr F Ata

Respondent: Salix Homes Limited

HELD AT: Manchester

ON: 8 November 2024

BEFORE: Employment Judge Johnson

REPRESENTATION:

Claimant: unrepresented

Respondent: Miss J Charalambous (counsel)
Mrs L Croft (solicitor)

JUDGMENT OF THE PRELIMINARY ISSUE

**(LISTED BY JUDGE HALLEN AT THE PRELIMINARY HEARING
CASE MANAGEMENT ON 8 AUGUST 2024 AND RELATING TO
WHETHER THE CLAIM WAS PRESENTED IN TIME)**

The judgment of the Tribunal is that:

- (1) The claimant's effective date of termination was 5 July 2024 and this was the date when the claimant became aware of his dismissal by the respondent.
- (2) The complaint of unfair dismissal was not presented in time in accordance with section 111 of the Employment Rights Act 1996.
- (3) It was reasonably practicable for the complaint to be presented within the normal time limit provided by section 111 Employment Rights Act 1996.
- (4) The complaint of discrimination on grounds of race was not presented in time in accordance with section 123 Equality Act 2010.

- (5) It was not just and equitable in all the circumstances to extend time in accordance with section 123 Equality Act 2010.
- (6) Accordingly, the case is dismissed because the Tribunal does not have jurisdiction to hear the complaints brought in this claim because they were presented out of time.

Employment Judge Johnson

Date 11 November 2024

JUDGMENT SENT TO THE PARTIES ON
14 November 2024

FOR THE TRIBUNAL OFFICE

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/>