



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr J Dunn

v

Muller UK & Ireland Group LLP

Heard at: Birmingham

On: 31 October 2018

Before: Employment Judge Broughton

Appearances:

For Claimant: Mr J Gidney, counsel

Respondent: Mr J Meichen, counsel

JUDGMENT

The Claimant's claim of unfair dismissal may proceed as it was not reasonably practicable for it to be presented in time due to inaccurate and incomplete advice from ACAS in circumstances similar to those in DHL Supply Chain Limited v Fazackerley EAT/0019/18.

Despite claiming otherwise at the time the claimant had not received legal advice. He followed the ACAS advice to complete internal processes first, regularly chasing responses despite considerable delays.

He presented his claim in such further time as was reasonable, given those delays and previous assurances by the respondent.

The case will be listed for a 2 day hearing before a Judge sitting alone, avoiding the unavoidable dates provided.

Disclosure should be completed within 1 month.

The respondent should provide an agreed bundle by 21 December 2018.

The parties should exchange witness statements by 25 January 2019.

Sufficient copies of all relevant documents should be brought to the hearing.

Note:

Further 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.

Employment Judge Broughton

31 October 2018