



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Dimitriu

Respondent: DE Group Ltd t/a DE Pharmaceuticals

HELD AT: Sheffield **ON:** 13 July 2018

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person assisted by Mr O Murgu (husband)

Respondent: Miss T Matthewman, head of HR

JUDGMENT AT A PRELIMINARY HEARING

The Judgment of the Employment Tribunal is that:-

1. The claimant's complaint of unfair dismissal has no reasonable prospect of succeeding upon the basis that the claimant did not have two years qualifying service as at the date of dismissal and her case does not fall within any of the cases where two years qualifying service is not required (as set out in section 108(2) of the Employment Rights Act 1996).
2. It cannot be said that the claimant's complaint of direct discrimination because of the protected characteristics of sex and race (by reason of Romanian nationality) has no reasonable prospect of success or little reasonable prospect of success. Accordingly, those claims shall not be struck out and no deposit order shall be made against the claimant as a condition of her continuing with them.

Employment Judge Brain

Date_5th November 2018

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL OFFICE

Note - 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.