

EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: S/4104827/2017

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Held in Glasgow on 16 April 2018

Employment Judge: Mr R Gall

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Ms N Shabbir

**Claimant
Represented by:
Mr R Byrom -
Solicitor**

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Glamour Eyes Ltd

**Respondent
Represented by:
A Sindhu -
Consultant**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL
RECONSIDERATION**

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The Judgment of the Tribunal is that, upon reconsideration of the Judgment dated 7 March 2018 and issued to parties on 8 March 2018, that Judgment is varied and that to the following extent: –

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- (1) For clarity the claims brought under the Employment Relations Act 1996 (“ERA”) of automatic unfair dismissal in terms of Section 99 (3) (b), the dismissal being said to have occurred on 20 February 2017 and that brought under Section 47 (C) (2) (i) that, if not dismissed, the claimant was demoted on 20 February 2017, that being a detriment, are, in circumstances where they were held to have been brought out of time and where it was not reasonably practicable to have presented those claims in time, dismissed.

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5 (2) For clarity, the claims brought under the Equality Act 2010 of direct discrimination in terms of Section 13, the act of discrimination being said to be the dismissal or demotion of the claimant on 20 February 2017 and of discrimination in terms of Section 18 (4), the act of discrimination being said to have been that the dismissal or demotion of the claimant on 20 February 2017 having been presented out of time and in circumstances where it was not considered just and equitable to extend the time for bringing of those claims, are dismissed

REASONS

10 1 Judgment was issued in this case on 7 March 2018, being sent to parties on 8 March 2018. Elements of the claim were held to have been brought out of time and in circumstances where no extension of time was considered appropriate applying the relevant legislation.

15 2 The terms of the Judgment did not however specifically dispose of those grounds of claim. For clarity those grounds of claim are confirmed as having been dismissed.

20 3 It seemed appropriate to me to reconsider the Judgment of 7 March of my own initiative and to vary it to confirm dismissal of those grounds of claim, for the avoidance of any doubt on that point.

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25 **Employment Judge: Robert Gall**
Date of Judgment: 17 April 2018
Entered in register: 19 April 2018
and copied to parties

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