



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4116781/2018

Preliminary Hearing held in Glasgow at 10am on 8th February 2019

Employment Judge M Whitcombe

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Mr A Stokes

Claimant
Represented by:
In person

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Whitbread Group Plc
(trading as “Costa Coffee”)

Respondent
Represented by:
Mr M Foster
(Solicitor)

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JUDGMENT

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The judgment of the Tribunal is as follows.

(1) By consent, the name of the respondent is amended to that shown above.

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(2) The claim for unfair dismissal was presented outside the period specified in section 111(2) and (2A) of the Employment Rights Act 1996. It must therefore be dismissed because the Tribunal has no jurisdiction to hear it.

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(3) The claims for direct discrimination because of sex and/or sexual orientation as now clarified by the claimant potentially amount to conduct

extending over a period ending no earlier than 30th April 2018. By consent, the jurisdictional time points arising in those claims cannot be determined at this preliminary hearing but will remain in issue at the final hearing.

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(4) Further case management was not possible today. A telephone preliminary hearing for case management has been fixed for 5th March 2019. The parties will be sent case management agenda documents for completion.

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15 **Employment Judge M Whitcombe**
Date of Judgment: 08 February 2019
Entered in register: 11 February 2019
and copied to parties