



## EMPLOYMENT TRIBUNALS

**Claimant**  
Mr M Vella

v

**Respondent**  
Automobile Association  
Developments Limited

## PRELIMINARY HEARING

**Heard at:** Bristol

**On:** 5 February 2020

**Before:** Employment Judge Midgley

### **Representation**

Claimant: Mrs D Long, lay representative (Claimant's partner)

Respondent: Mr M Curtis, Counsel

## JUDGMENT

1. The Tribunal does not have jurisdiction to hear the Claimant's claim. The claim was not brought within the primary time limit in section 123(1)(a) EQA 2010 and it would not be just and equitable to extend time to allow the claim to be brought within time. The claim is dismissed.
2. The Claimant's application to amend the claim to include a claim of constructive unfair dismissal is dismissed. The claim was presented 6 years outside the primary time limit in s.111 ERA 1996 and it was reasonable practicable for the claim to have been presented in time.
- 3.

**Employment Judge Midgley**

Dated: 5 February 2020

Judgment sent to parties: 12 February 2020

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.