



EMPLOYMENT TRIBUNALS

Claimant: Mr J Agukwe & others (see Schedule)

Respondent: (1) Greater Manchester Mental Health NHS Foundation Trust
(2) NHS Professionals Limited

Heard at: Manchester **On:** 11 March 2020

Before: Employment Judge B Hodgson (sitting alone)

Appearances

For the claimants: In person

For the respondents: (1) Miss K Barry, Counsel
 (2) Miss L Quigley, Counsel

JUDGMENT ON PRELIMINARY HEARING

The judgment of the Tribunal is that:

- 1 the claim of Mr Agukwe. By consent, this claim is permitted to proceed as against the Second Respondent, it having been presented in time. It is noted that jurisdiction in relation to the claim as against the First Respondent remains in issue

- 2 the claim of Mr Joseph-Shomorin. By consent, this claim is permitted to proceed as against the Second Respondent, it having been presented in time. It is noted that jurisdiction in relation to the claim as against the First Respondent remains in issue

- 3 the claim of Mr Kusi. By consent, this claim is permitted to proceed as against the Second Respondent, it having been presented in time. It is noted that jurisdiction in relation to the claim as against the First Respondent remains in issue

- 4 the claim of Ms Bryan. This claim is permitted to proceed as against both Respondents notwithstanding it having been presented out of time, it not having

been reasonably practicable to have presented it in time and it having been presented within a reasonable time thereafter

- 5 the claim of Mr Strowger. This claim is permitted to proceed as against both Respondents notwithstanding it having been presented out of time, it not having been reasonably practicable to have presented it in time and it having been presented within a reasonable time thereafter
- 6 the claim of Mr Fanka. The Tribunal has no jurisdiction to hear this claim (save in respect of the claim as against the Second Respondent in respect of holiday pay relating to the Claimant's holiday taken on 16 December 2019) it having been presented out of time in circumstances in which it was reasonably practicable to have presented it in time and/or was not presented within a reasonable period of time thereafter
- 7 the claim of Mr Braiden. The Tribunal has no jurisdiction to hear this claim (save in respect of the claim as against the Second Respondent in respect of holiday pay relating to the Claimant's holiday taken on 9 October 2019) it having been presented out of time in circumstances in which it was reasonably practicable to have presented it in time and/or was not presented within a reasonable period of time thereafter

Employment Judge B Hodgson

Date: 16 March 2020

JUDGMENT SENT TO THE PARTIES ON

01 April 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.

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.

SCHEDULE

CASE NUMBER	CLAIMANT
2410903/2019	Mr J Agukwe
2410191/2019	Miss L Bryan
2411541/2019	Mr J Joseph-Shomorin
2411163/2019	Mr K Kusi
2411085/2019	Mr N Strowger
2414689/2019	Mr L Fanka
2400609/2020	Mr L Braiden