



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss L Fantie

**Respondent:** Barts Health NHS Trust

## JUDGMENT FOLLOWING A PRELIMINARY HEARING

**Heard at:** East London Hearing Centre      **On:** 30 October 2019

**Before:** Regional Employment Judge Taylor

### Appearances

For the claimant: In person

For the respondent: Ms C Ibbotson, Counsel

### It is the Judgment of the Employment Tribunal that

- 1 The claimant's claims of direct race discrimination, harassment and victimisation (save as set out in paragraph 2 below) have been presented outside the primary time limit contained in section 123 of the Equality Act 2010; it is not just and equitable to extend time for bringing the complaints of race discrimination. Accordingly, the tribunal does not have jurisdiction to consider these claims and the claims are dismissed.
- 2 The claimant's claims of unfair dismissal and unlawful deduction of wages are unaffected by this judgment. The claimant's claim of direct race discrimination and race harassment alleging that the respondent did not follow the ill-health procedure properly, in that the respondent delayed in completing the claimant's ill-health retirement form in January 2019, will proceed to hearing. The claimant's claim of (race) victimisation in that she was allegedly subjected to a detriment when the respondent failed to complete her ill-health retirement form was presented in time and will proceed to a hearing.

Regional Employment Judge Taylor  
Date: 1 April 2020