



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D McGlynn

**Respondent:** City Facilities Management (UK) Ltd

**Heard at:** Manchester

**On:** 14 August 2020

**Before:** Employment Judge Phil Allen  
(sitting alone)

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr S O'Connor

# JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's unfair dismissal claim was not presented within the time limit set out in section 111 of the Employment Rights Act 1996, and it was reasonably practicable for the claim to be entered within that period.
2. The Employment Tribunal does not have jurisdiction to consider the complaint for unfair dismissal and the complaint is struck out.
3. The claimant's complaint of harassment related to disability was not presented within the time limit set out in section 123 of the Equality Act 2010 and the complaint was not brought within such other period as the Employment Tribunal thinks just and equitable.
4. The Employment Tribunal does *not* have jurisdiction to consider the claimant's complaint of harassment and the claim is struck out.
5. The claimant's complaints of direct disability discrimination, discrimination arising from disability, and alleged failure to make reasonable adjustments, were not brought within the primary time limit required by section 123 of the Equality Act 2010, however they were brought within such other period as the Employment Tribunal thinks just and equitable.

6. The claimant's complaints for direct disability discrimination, discrimination arising from disability, and alleged failure to make reasonable adjustments, will proceed to hearing.

Employment Judge Phil Allen

Date: 17 August 2020

JUDGMENT SENT TO THE PARTIES ON

4 September 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.

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