



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs S Mustapha

**Respondent:** Mitie Limited

**Heard at:** Manchester (by CVP)                      **On:** 15 December 2020

**Before:** Employment Judge Ross

## REPRESENTATION:

**Claimant:** Mr Mustapha (Husband)

**Respondent:** Mr M Gordon of Counsel

# JUDGMENT

1. The respondent's application that the Tribunal does not have jurisdiction to hear two allegations because they were presented out of time fails. The relevant allegations are:

- (1) "In 2017 (specific date to be confirmed) Martin Lynch told the claimant that he did not like to speak to women and 'all women are snakes'. Martin Lynch formed part of a group who allegedly hated women that included Paul Malcolm"
- (2) and (2) "In early 2017 on the same day (date to be provided) Mr Ike tried to hug the claimant three times by force in front of people on reception. The claimant raised a grievance against Mr Ike on 19 April 2017 after he created problems by ringing her on her personal phone. No action was taken against Mr Ike by the respondent, who then became the claimant's supervisor".

2. The Tribunal finds that there was a course of conduct within the meaning of section 123(3) of the Equality Act 2010 and accordingly the Tribunal has jurisdiction to hear these allegations.

Employment Judge Ross

Date: 17 December 2020

JUDGMENT SENT TO THE PARTIES ON

Date: 29 January 2021

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](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.