



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr S V Simbisai

v

Manchester Airport Plc

Heard at: Manchester (by Cloud Video Platform ('CVP'))

On: 29 January 2021

Before: Employment Judge Johnson

Appearances

For the Claimant: in person

For the Respondent: Mr Ashwood (solicitor)

JUDGMENT

1. The claimant's complaint of unfair dismissal was presented in time. The question of whether the claimant had accrued sufficient service in which to bring a complaint of unfair dismissal in accordance with section 108 of the Employment Rights Act 1996 will be considered at the final hearing of liability.
2. The complaint of unlawful deduction from wages was not presented in time in accordance with section 23(2) of the Employment Rights Act 1996 and is dismissed.
3. The complaint of breach of contract was not presented in time in accordance with regulation 7 and 8B of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 and is dismissed.
4. All allegations of discrimination which occurred before 5 March 2019 were presented out of time and it is not just and equitable to extend time in accordance with section 123 of the Equality Act 2010.
5. The allegations of discrimination which occurred from 5 March 2019 formed part of a series of continuing acts ending with the claimant's dismissal and subsequent appeal against dismissal in accordance with section 123(3) of the Equality Act 2010. These allegations will be considered at the final hearing on liability.

6. As the complaints of sex discrimination all occurred before 5 March 2019, this complaint is dismissed and the only complaints relating to discrimination which will be considered at the final hearing of liability relate to the protected characteristic of race.

Employment Judge Johnson

Date: ..29 January 2021

Sent to the parties on: 9 February 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.