



EMPLOYMENT TRIBUNALS

Claimant: Mr M Brown

Respondent: Jaguar Land Rover

Heard at: Liverpool (by video hearing) **On:** 26 March 2021

Before: Employment Judge Aspinall (sitting alone)

Representatives

For the claimant: In Person

For the respondent: Mr Childe

JUDGMENT at Preliminary Hearing

1. The Tribunal has no jurisdiction to hear the claimant's claims for unfair dismissal and discrimination because they were brought out of time and the Tribunal does not extend time for the reasons set out below.

2. The effective date of termination was 5 October 2019. The claimant did not contact ACAS with the requisite information to begin early conciliation until 8 January 2020. He obtained his ACAS Certificate on 9 January 2020. He brought his claim on 16 October 2020. Whilst he was suffering anxiety and depression during that period he was not so unwell as to prevent him from bringing his claims. He was able to contact ACAS for advice, to contact Unite the Union and meet with them to take advice, to contact the Employment and Equalities Advisory Service and obtain representation and to apply online for Universal Credit and to attend an assessment for disability allowance. He wrote to the respondent with detail about his claims for discrimination and unfair dismissal, requesting that the reason for dismissal be changed and he arranged for those letters to be sent by special delivery. He had expert advice and knew that he had three months from the date of his dismissal in which to contact ACAS and then, adding on time spent in conciliation, to bring his claims.

3. It was reasonably practicable for the claimant to have brought his claim for unfair dismissal and it is not just and equitable to extend time for his discrimination claim for the reasons set out at paragraph 2 above.

4. The claimant's claim stands dismissed.

Employment Judge Aspinall

DATE 26 March 2021

JUDGMENT SENT TO THE PARTIES ON

16 April 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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Hearing Code

The "Code V" in the heading indicates that this was wholly or partly a remote hearing by video conference call, to which the parties have consented. A face to face hearing was not held because both parties are either professionally represented or able to deal with case management issues wholly or partly remotely.