

EMPLOYMENT TRIBUNALS

Claimant: Mr I Mohammed
Respondent: Rendall and Rittner Limited
Heard at: CVP, open preliminary hearing
On: 21 May 2021
Before: Employment Judge Adkin

Appearances

For the claimant: Ms F Almazedi, Solicitor
For the respondent: Ms B Omotosho, Solicitor

JUDGMENT

(1) The following claims are dismissed:

- a. The claim of direct race discrimination brought under section 13 of the Equality Act 2010 ("EqA") is brought out of time. It is not just and equitable to extend time.
- b. The claim of harassment relating to race brought under section 26 of EqA is brought out of time. It is not just and equitable to extend time.
- c. The claim of protected disclosure detriment brought under section 47B of the Employment Rights Act 1996 ("ERA") is brought out of time. There will be no extension under the provisions of section 48(3) ERA.

(2) The application to strike out or make deposit orders in respect of the following claims are refused, and these will proceed to a five day final hearing already listed on **Monday 13 September 2021**:

- a. Claim of unfair dismissal under section 98 ERA.
- b. Claim of automatic unfair dismissal under section 103(A) ERA.

- c. Claim of victimisation under section 27 ERA, including claim that the dismissal was an act of victimisation.

Victimisation dismissal

1. For reasons given orally, I clarified that the Grounds of Complaint (particularly paragraph 1) contained in allegation that the dismissal was an act of victimisation, and in the alternative if I was wrong about this I would have readily allowed an application to make this clear by adding the words “including his dismissal,” after the word “treatment” in paragraph 1.

Wasted Costs

2. The Respondent’s application for wasted costs from the Claimant’s representative was agreed by the parties in the sum of £500.

EJ - Adkin
21.5.2021

Sent to the parties on:

21/05/21.

For the Tribunal Office:

Either party may request written reasons for decisions given orally, provided such a request is made within 14 days of the date that this Judgment is sent out.