



EMPLOYMENT TRIBUNALS

BETWEEN:

Claimant

Mr D Hamilton

And

Respondent

Forterra Building Products Limited

AT AN OPEN PRELIMINARY HEARING

Held: Remotely via CVP (Nottingham) **On:** 29 June 2021

Before: Employment Judge R Clark (Sitting alone)

REPRESENTATION

For the Claimant: Mr Hamilton in person

For the Respondent: Mr Kelly of Counsel

JUDGMENT

1. The claims of direct race discrimination are **struck out**. The claims were presented out of time and it is not just and equitable to extend time. Had jurisdiction been established, the claims would have been struck out on the ground they have no reasonable prospect of success.
2. The claims of direct age discrimination relating to the allegations occurring in 2013 and 2017 are **struck out**. The claims were presented out of time and it is not just and equitable to extend time. Had jurisdiction been established, the claims would have been struck out on the ground they have no reasonable prospect of success.
3. The remaining claim of direct age discrimination relating to events in or around October/November 2019 was presented out of time but it is just and equitable to extend time for the presentation of that claim.

Case number: 2603086/2020

EMPLOYMENT JUDGE R Clark
DATE 29 June 2021

JUDGMENT SENT TO THE PARTIES ON

9 July 2021

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AND ENTERED IN THE REGISTER

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FOR SECRETARY OF THE TRIBUNALS

Reasons having been given orally at the hearing, written reasons will not be provided unless they were asked for at the hearing or are requested in writing within 14 days of the date of this judgment being sent to the parties.