



EMPLOYMENT TRIBUNALS

COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals

This has been a remote which has been consented to by the parties. The form of remote hearing was, to begin with, conducted by video, but with the Respondent's counsel and a witness physically in a hearing centre. After the first day it was conducted with all attendees appearing remotely. A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing.

Claimant

Mr Mohammed Ali

Respondent

v Cambria Automobiles Ltd
t/a Grange Land Rover Welwyn & Hatfield

Heard at: Watford (via CVP)

On: 26-30 July 2021

Before: Employment Judge Andrew Clarke QC
Mrs Indu Sood
Mr Neil Boustred

Appearances

For the Claimant: In person

For the Respondent: Mr Oliver Foy, Counsel

JUDGMENT

1. The claim for constructive unfair dismissal is dismissed.
2. The claim for direct race discrimination is dismissed.
3. The Tribunal lacks jurisdiction to hear the claim for an unlawful deduction from wages under Part II of the Employment Rights Act 1996, the claim not being presented within the primary limitation period and the Tribunal deciding that it was reasonably practicable to have presented the claim within that period.
4. The Tribunal lacks jurisdiction to hear the claim for damages for breach of contract or for sums outstanding as at the termination of the employment contract, being claims under the Employment Tribunals Extension of

Jurisdiction (England & Wales) Order 1994 as the claimant had not obtained an Early Conciliation Certificate in respect of that claim.

Employment Judge Andrew Clarke QC

Date: ...13th August 2021..

Sent to the parties on: .7th October 2021.
THY

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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.