



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

RESPONDENT

MS L NGULUWE

V

BACSTAL PAC LLP

HELD REMOTELY ON: 13, 14, 15, 16 & 17 MARCH 2023

BEFORE: EMPLOYMENT JUDGE S POVEY
MS Y NEVES
MR K LANNAMAN

REPRESENTATION:

FOR THE CLAIMANT:

IN PERSON

FOR THE RESPONDENT:

MR WHEATON (COUNSEL)

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The claims of direct discrimination and harassment which were alleged to have occurred before 27 December 2019 were brought out of time and it was not just and equitable to extend time. As such, the Tribunal has no jurisdiction to consider them and they are struck out.
2. In any event, all the claims of direct discrimination and harassment by reason of race are not made out and are dismissed.
3. The Respondent concedes that it failed to provide the Claimant with a written statement of particulars of employment, in breach of its duty under section 1 of the Employment Rights Act 1996. However, there can be no award of compensation, as the Tribunal has not found in favour of the Claimant in respect of her claims under the Equality Act 2012 (per section 38 of the Employment Act 2002).

Case No: 1601749/2020

EMPLOYMENT JUDGE S POVEY

Dated: 20 March 2023

Order posted to the parties on 22 March 2023

For Secretary of the Tribunals Mr N Roche