



EMPLOYMENT TRIBUNALS

BETWEEN:

Claimant
Ms Hussain

And

Respondent
DHU Healthcare CIC

AT A RECONSIDERATION HEARING

Held: Nottingham **On:** 7 June 2023

Before: Employment Judge R Clark (Sitting alone)

REPRESENTATION

For the Claimant: Ms Hussain in person
For the Respondent: Mr Gouldson, Solicitor

Upon the Tribunal listing this hearing of its own initiative under rule 73 of the 2013 rules.

And upon hearing the respective submissions of the parties' it is necessary in the interest of justice that the judgment dated 21 January 2022 (and sent to the parties on 2 February 2022) be varied.

The Judgment so varied is as follows -

JUDGMENT

1. The claim of unfair dismissal is **struck out** for lack of jurisdiction. It was presented out of time and it has not been shown to have been not reasonably practicable for it to have been presented it in time.
2. The claim of unlawful deductions from wages is **struck out** for lack of jurisdiction. It was presented out of time and it has not been shown to have been not reasonably practicable for it to have been presented it in time.

3. To the extent that the claim of unlawful deductions from wages could also be presented as a claim of breach of contract outstanding on the termination of employment, it is **struck out** for lack of jurisdiction. It was presented out of time and it has not been shown to have been not reasonably practicable for it to have been presented it in time.
4. The claims of direct disability discrimination, discrimination arising from disability and failure to make reasonable adjustments relating to the non-renewal of the fixed term contract are **struck out** for lack of jurisdiction. It was presented out of time and it is not just and equitable to extend time.
5. The claims of direct disability discrimination, discrimination arising from disability and failure to make reasonable adjustments in relation to the three decisions not to select the claimant for new employment are **not** struck out. Separate case management orders follow.

EMPLOYMENT JUDGE R Clark

DATE 7 June 2023

Reasons having been given at the hearing, written reasons will not be provided unless written application is made within 14 days of the date this judgment is sent to the parties.