



EMPLOYMENT TRIBUNALS

Claimant: Mr T Polley

Respondent: MPK Garages Limited

Heard at: Reading

On: 13 September 2023

Before: Regional Employment Judge Foxwell

Appearances

For the claimant: In person assisted by Mrs J Hudson (friend)

For the respondent: Mr S Morley (employment consultant)

PRELIMINARY HEARING JUDGMENT

1. The primary time limit for the claimant's complaints of automatic unfair dismissal ended on 17 March 2021.
2. It was not reasonably practicable for the claimant to present his complaints of automatic unfair dismissal within the primary time limit. It became reasonably practicable for him to do so on or about 30 June 2021.
3. The claimant presented his complaints of automatic unfair dismissal within a reasonable time of it becoming reasonably practicable for him to do so, namely on 22 August 2021 and the Tribunal has jurisdiction in respect of them.
4. The last act of disability discrimination alleged by the claimant is his dismissal on 18 December 2020. The primary time limit arising from this act of alleged discrimination is 3 months which ended on 17 March 2021.
5. It is just and equitable to extend time for the presentation of this complaint to the 22 August 2021 and the Tribunal therefore has jurisdiction in respect of it.
6. Insofar as the claimant's other claims of disability discrimination are not part of an act extending over a period linked to his dismissal, it is just and equitable to extend time for the presentation of them to 22 August 2021 and the Tribunal therefore has jurisdiction in respect of them.

7. As conceded by the respondent without prejudice to its case that it did not know of and/or know of the effects of the claimant's disability, the claimant is disabled within the definition in section 6 of the Equality Act 2010 because of dyslexia, a learning disability.

Regional Employment Judge Foxwell

13 September 2023

Sent to the parties on: 23/10/2023

For the Tribunal: N Gotecha

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.