



EMPLOYMENT TRIBUNALS

Claimant

Mr V Nhlane

v

Respondent

Brake Bros Limited

Heard at: Sheffield (by CVP)

On: Tuesday 9 January 2024

Before: Employment Judge James

Representation

For the Claimant: In person

For the Respondent: Ms J Chapman, solicitor

JUDGMENT

Following the hearing of oral evidence from the claimant and submissions from Ms Chapman and the claimant; and the claimant having accepted that he is not able to bring an unfair dismissal claim because he worked for the respondent for less than two years (regardless of any argument as to whether or not he was an employee of the respondent); and the claimant having confirmed that his only complaint of direct race discrimination relates to the termination of his assignment with the respondent; the decision of the tribunal is that:

- (1) The name of the respondent is changed (by consent) to Brake Bros limited.
- (2) Acas Early Conciliation having been commenced on 4 July 2023, seven weeks after it should have been commenced, if the usual three month time limit had been complied with; and the tribunal having determined that it is not just and equitable to extend the time limit by seven weeks in the circumstances of this case; the tribunal does not have jurisdiction to hear the claim and it cannot proceed any further (sections 6 and 123 Equality Act 2010).

Employment Judge James
North East Region

Dated 9 January 2024

Notes

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.

Public access to employment tribunal decisions

All judgments (apart from those under rule 52) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>