



EMPLOYMENT TRIBUNALS

Claimant: Cynthia Pinto

Respondent: City and Essex Limited

Heard at: London South (by video)

On: 22 May 2024

Before: Employment Judge Evans (sitting alone)

Representation

Claimant: Ms Dalmau, union representative

Respondent: Ms Dove, employee of respondent

JUDGMENT

1. The complaints of unfair dismissal and for breach of contract were not presented within the applicable time limit, but it was not reasonably practicable to do so. The complaints of unfair dismissal and for breach of contract were presented within a further reasonable period. They will therefore proceed.
2. The complaints of disability discrimination (s.15 and a failure to make reasonable adjustments) and of victimisation were not presented within the applicable time limit. Subject to paragraph 3, it is just and equitable to extend the time limit. The claims therefore proceed.
3. Some of the complaints of disability discrimination and victimisation relate to events which took place before the effective date of termination. The issue of time limits was considered today on the basis that there was a *prima facie* case that such complaints were conduct extending over a period of time continuing until the effective date of termination. However, the respondent may contend at the final hearing that there was no conduct extending over a period of time and, if the Tribunal finds in the respondent's favour in relation to this issue, the question will arise whether time should be extended on a just and equitable basis in respect of such complaints.

Employment Judge Evans
Date: **22 May 2024**

JUDGMENT SENT TO THE PARTIES ON
Date: **31 May 2024**

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FOR THE TRIBUNAL OFFICE

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 reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

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/>