



EMPLOYMENT TRIBUNALS

Claimant: Mr J Abdulla

Respondent: Royal Mail Group Limited

Heard at: Watford (by CVP)

On: 4 June 2024

Before: Employment Judge Emery

REPRESENTATION:

Claimant: Ms S Ismail (counsel)

Respondent: Ms S Griffiths (solicitor)

PRELIMINARY HEARING IN PUBLIC JUDGMENT

The judgment of the Tribunal is as follows:

Unsuccessful strike out of unfair dismissal claim on jurisdiction

1. The application to strike out the claim of unfair dismissal is refused. The claimant's ACAS Early Conciliation Certificate issued on 14 November 2022 is the relevant certificate for this claim and the claimant has complied with mandatory early conciliation requirements.

Reasonably practicable time limit: claim out of time

2. The claim of unlawful deduction of wages was not presented within the applicable time limit. It was reasonably practicable to do so. The claim of unlawful deduction of wages is therefore dismissed.

Just and equitable time limit: claim out of time.

3. The allegation of disability discrimination in relation to an incident dated March 2020 is out of time and it is not just and equitable to extend time.
4. The Tribunal at the full merits hearing will determine whether the all or any of the remainder of the disability discrimination allegations (direct, harassment, a failure to make reasonable adjustments), and race discrimination (direct, harassment), are acts continuing over a period of time (and if not, is it just and equitable to extend time). The claimant's case is that shift managers co-ordinated with each other to create grounds for dismissing him, that the different acts therefore amount to an act occurring over time.

**Employment Judge Emery
31 July 2024**

Judgment sent to the parties on:

05/08/2024

For the Tribunal:

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) and 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.