



EMPLOYMENT TRIBUNALS

Claimant: Mr B Draghici

Respondent: Trinity Saint David

JUDGMENT

The claimant's application dated 11 December 2025 for reconsideration of the judgment sent to the parties on 18 November 2025 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because

1. The only claim that has been struck out is the claim for unfair dismissal. Discrimination claims are not affected by this decision.
2. Even if the respondent's correspondence did show that there was a recognised pattern of hours and a mutual expectation that work would be provided, that does not provide any exception to the qualifying service requirement.
3. Any evidence provided via a subject access request going to the integrity of the respondents records of the fairness of the proceedings again has no relevance. It does not provide an exception to the qualifying service requirement.
4. On 20 November 2025, in reply to the tribunal's correspondence warning him that his case could be dismissed, the claimant made reference to the practical and legal loop created by those disabled staff exposed to discriminatory environments from the outset being prevented from bringing certain claims until two years have passed. Far from suggesting that the claim fell within any exception, in this response the claimant is accepting the two-year point.
5. In correspondence dated 11 December 2025, after the claim has been struck out, the claimant refers to "protected acts" stating that he raised concerns about procedural inconsistencies, ethical issues and fairness in the workplace. He also disclosed disabilities. He states that these acts are not subject to the qualifying period. If the complaint is of detriment and/or dismissal relating to protected acts then there is no required qualifying period. This is not a claim that was pleaded in the claim form. It was not raised in the previous correspondence. If the claimant wishes to add such a claim this needs to be by way of an amendment application.

The fact that the claimant wishes to rely on a claim that has not been brought is not a reason to reconsider this decision.

Date: 5 January 2026

Approved by

Employment Judge McLaren