



EMPLOYMENT TRIBUNALS

Claimant: Mrs J. Sutton

Respondent: Yew Tree Nursing Home Ltd

Heard at: Birmingham

On: 8 February 2018

Before: Employment Judge Jones

Representation

Claimant: Mr M Nixon, lay representative

Respondent: Ms J Smeaton, counsel

JUDGMENT

1. The Tribunal has no jurisdiction to hear Mrs Sutton's unfair dismissal claim under section 111 Employment Rights Act 1996 (ERA). It was not presented to the tribunal before the end of the period of three months beginning with the effective date of termination of her employment contract, as required by s111(2) ERA, in circumstances where it was reasonably practicable for her to have presented her complaint within that period.

2. The claimant cannot benefit from the provisions in section 207B ERA (Extension of time limits to facilitate conciliation before institution of proceedings) because she did not comply with the requirement to contact ACAS in relation to the matter until more than three months after the effective date of termination.

Signed by Employment Judge Jones

Date: 26 February 2018