



EMPLOYMENT TRIBUNALS

Claimant: Ms G Marfo

Respondent: Sodexho Limited

Heard at: London South **On: 3 August 2018**

Before: Employment Judge Fowell

Representation:

Claimant: In person

Respondent: Mr K Wilson of counsel

JUDGMENT

The claim was presented in time.

REASONS

1. This judgment follows a preliminary hearing to determine whether the claim form was presented in time, but Mr Wilson for the respondent conceded at the outset that it had.
2. The uncertainty arose from the date of termination given on the claim form. It stated 22 December 2017. In fact, the claimant was dismissed by letter dated 4 January 2018. This stated that the date of dismissal was 22 December 2017 but it is now established that dismissal cannot take effect until communicated to the claimant and she has had a reasonable opportunity of considering it.
3. On that basis the dismissal cannot have taken effect before delivered on 5 January 2018. The normal 3 month time limit would expire on 4 April 2018 but the time spent in early conciliation – in this case 28 days from 19 February to 19 March 2018 – has to be added on – which ends on 2 May 2018.
4. The claim form was presented on 1 May 2018 and so was in time. Case management orders for the rest of the proceedings will be sent separately.

Employment Judge Fowell

Date 03 August 2018