



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms I Kurtulikova

**Respondent:** Pilkington Automotive Ltd

## DECISION AT AN OPEN PRELIMINARY HEARING (Hearing type code “V”)

**Heard at:** Birmingham (remotely by Cloud Video Platform)

**On:** 21 October 2021

**Before:** Employment Judge V Jones (sitting alone)

### Appearances

**For the claimant:** in person

**For the respondent:** Mr L Jefcott, solicitor

## DECISION

1. The tribunal has no jurisdiction to hear the claimant’s claim for unfair dismissal as it was presented outside the normal time limit set out in section 111(2)(a) Employment Rights Act 1996 (as extended by s207B of the Act) in circumstances where it was reasonably practicable to have presented the claim within that time limit.
2. It is not just and equitable to extend the primary time limit set out in s123(1)(a) Equality Act 2010 (EQA) for presenting the claimant’s discrimination claim.
3. The claimant’s claim that the respondent discriminated against her in relation to its internal appeal process and outcome has been brought in time, having regard to ss108, 120 and 123 EQA.
4. The question of whether the tribunal has jurisdiction (under section 123(3)(a) EQA) to hear the claimant’s claim of discrimination in her selection and dismissal for redundancy, on the basis that this formed part of “conduct extending over a period” ending with the outcome of her appeal

on 19 March 2021, will be determined by the tribunal at the full merits hearing of this case.

**Employment Judge V Jones**

**22 October 2021**

Note

Reasons for the decision 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.