



EMPLOYMENT TRIBUNALS

Claimant: Mr M Kunbus
Respondent: Damasgate Wholesale Limited

RECORD OF A PRELIMINARY HEARING

Heard at: Watford (in private) **On:** 27 March 2019
Before: Employment Judge Bloch QC (sitting alone)

Appearances

For the claimant: Mr Tremain (FRU)
For the respondent: Mr Golin (Counsel)

JUDGMENT ON PRELIMINARY ISSUES

1. The form ET1 filed on 19 July 2018, did not contain a claim for constructive dismissal. It was therefore necessary for the claimant (if wishing to proceed with such a claim) to apply to amend that claim form.
2. The claimant's application to amend the claim form to indicate (at paragraph 8.1 of the form) that the claimant was complaining of unfair dismissal, is allowed.
3. In the alternative, it was not reasonably practicable for the claimant to submit the second claim form issued on 5 October 2018 within the time limits as set out in s.111 ERA 1996 and extended by s.207B.
4. The tribunal has no jurisdiction to hear the counterclaim of the respondent in claim number 3333905/2018

Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.

9 April 2019

Employment Judge Bloch QC

Sent to the parties on:

.....16/4/19.

For the Tribunal:

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