



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr V Phatty  
**Respondents:** (1) Extraman Limited  
(2) Britvic Soft Drinks Limited

## PRELIMINARY HEARING (OPEN)

**Heard at:** East London Hearing Centre (by Cloud Video Platform)  
**On:** 8 June 2022  
**Before:** Employment Judge B Elgot

### Representation

**Claimant:** In person  
**1<sup>st</sup> Respondent:** Ms D Fox, Solicitor  
**2<sup>nd</sup> Respondent:** Mr G Anderson, Counsel

***This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform. A face to face hearing was not held because the relevant matters could be determined in a remote hearing.***

The Employment Judge gave judgment as follows:-

## JUDGMENT

1. The claim of unfair dismissal against the Second Respondent is DISMISSED. A Tribunal has no jurisdiction to hear it because the claim was made outside the time limits in section 111 Employment Rights Act 1996.
2. I am not satisfied that it was not reasonably practicable for the Claimant to present his claim within the primary time limit of three months under section 111 (2)(a).

3. The time for presentation of the Claimant's complaints of race discrimination including victimisation against the Second Respondent is extended to 29 August 2021 and he is permitted to continue those claims.
4. The claims of unfair dismissal and race discrimination against the First Respondent and the claim of race discrimination against the Second Respondent will be heard at a final hearing in person on 17,18,19 January 2023 at East London Hearing Centre commencing at 10 am. A Notice of Hearing will be sent out in due course. The hearing will take place before an Employment Judge and two non-legal members.
5. A case management summary and orders are attached.

**Employment Judge B Elgot**  
**Date: 14 June 2022**