



THE EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Mr R Walia

AND

Sage (UK) Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: North Shields

On: 6 February 2019

Before: Employment Judge A M Buchanan

Appearances

For the Claimant: In person

For the Respondent: Mr Jamie Anderson of Counsel

JUDGMENT ON PUBLIC PRELIMINARY HEARING

It is the judgment of the Tribunal that:-

1. The claimant began employment with the respondent on 6 June 2016.
2. The effective date of termination of the employment of the claimant with the respondent was on 24 May 2018.
3. The claimant had not been continuously employed by the respondent on 24 May 2018 for a period of not less than two years ending with the effective date of termination of his employment and so lacks the qualifying period of service to advance a claim of ordinary unfair dismissal required by section 108(1) of the Employment Rights Act 1996 ("the 1996 Act").
4. In any event the claim of unfair dismissal advanced pursuant to sections 94/98 of the 1996 Act was filed out of time by reference to section 111(2) of the 1996 Act and it was reasonably practicable for the complaint to have been presented in time.

5. Accordingly the claim of unfair dismissal is dismissed.
6. The claim of disability discrimination was filed out of time by reference to section 123 of the Equality Act 2010 (“the 2010 Act”).
7. The claim of disability discrimination advanced to the Tribunal on 7 November 2018 was advanced in such other period as the Tribunal considers just and equitable by reference to section 123(1)(b) of the 2010 Act and the claim of disability discrimination can proceed to hearing.
8. Case Management Orders are issued separately.

EMPLOYMENT JUDGE A M BUCHANAN

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 6 February 2019**

Note: Reasons for the judgment 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.

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