



EMPLOYMENT TRIBUNALS

Claimant: Ms J Richards

Respondent: Metro Bank PLC

OPEN PRELIMINARY HEARING

Heard at: London Central by CVP **On:** 11 September 2020

Before: Employment Judge Nicolle (sitting alone)

Appearances

For the Claimant: Ms L Mankau of counsel

For the Respondent: Mr N Pourghazi of counsel.

Judgement

- 1.1 The claim for constructive unfair dismissal pursuant to sections 94, 95 (1) (c) and 98 of the Employment Rights Act 1996 (the ERA) was brought outside the time period permitted by section 111 of the ERA and that it was reasonably practicable for the claim to have been brought within the primary time limit. The Tribunal does not therefore have jurisdiction to hear this claim and it is dismissed.
- 1.2 The Tribunal finds that whilst the claim for a discriminatory constructive dismissal on account of sex and/or race pursuant to section 39 (7) (b) of the Equality Act 2010 (the EQA) brought outside the primary time limit that it would under section 123 of the EQA be just and equitable for the Tribunal to exercise its discretion to permit this claim to proceed.
- 1.3 The Tribunal finds that the claim for victimisation pursuant to section 27 of the EQA was brought within the primary time limit.
- 1.4 For the avoidance of doubt you are you the claims for direct discrimination and harassment on account of sex and/or race proceed to a full merits hearing.

Public access to employment Tribunal decisions

- 1.5 Subject to rule 50 (privacy and restrictions on disclosure), all judgments and written reasons are published online at <https://www.gov.uk/employment-Tribunal-decisions> shortly after a copy has been sent to the Claimant(s) and Respondent(s) in a case. Where a judgment is given orally at a hearing, what is published online will only be the judgment and not the reasons, unless a party requests written reasons under rule 62(3), in which case the reasons will also be published.

Employment Judge Nicolle

14 September 2020

Sent to the parties on:

14/09/2020

For the Tribunal: