



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Lacey

Respondent: United Petfood Ltd

JUDGMENT

The claim is struck out.

REASONS

By a letter dated 08 May 2024 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out. The reasons for the decision are:

The Claimant's letter of 18 May 2024 could be treated as an amendment application, but it failed to address the following points:

1. Why was the claim not in the ET1 Claim Form?
2. Why is it in the interests of Justice to allow the Claimant to amend? Why should time be extended?
3. The Claimant has misunderstood how wrongful dismissal works. It is not unfair dismissal. The question is simply whether the Respondent was entitled contractually to dismiss her (not about the process) – it seems the Claimant accepts she did not meet targets. The Claim would be limited to notice pay (if not already).

Accordingly, the application to amend is refused as it is not in the interests of Justice. It is open to the Claimant to issue a new claim, but it will be out of time. Time will only be extended if the Claimant can show it was not reasonably practicable to issue in time and she presented the claim within such a period the Tribunal considers reasonable. A copy of this email will be sent to the Respondent, so it is aware the Claimant has unsuccessfully attempted to issue a claim and amend it.

Employment Judge Sharp

Date 6 June 2024

JUDGMENT SENT TO THE PARTIES ON 7 June 2024

FOR THE TRIBUNAL OFFICE Mr N Roche