



EMPLOYMENT TRIBUNALS

Claimant: Ms J Uszakiewicz-Szczygielski
Respondent: St James Group Ltd
Heard at: London Central (remote hearing) **On:** 18 June 2-24
Before: Employment Judge B Smith (sitting alone)

REPRESENTATION:

Claimant: In person
Respondent: Mr M Sellwood

JUDGMENT

The judgment of the Tribunal is as follows:

Unfair dismissal

1. The claim of unfair dismissal is struck out. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years' service to make an unfair dismissal complaint. The claimant was employed by the respondent for less than two years and was not entitled to bring these proceedings.

Direct race discrimination

2. The respondent's application to strike out the claim of direct race discrimination because it has no reasonable prospect of success is refused.
3. The claim of direct race discrimination was not presented within the applicable time limit but it is just and equitable to extend the time limit. The claim will therefore proceed.

Harassment relating to race

4. The respondent's application to strike out the claim of harassment relating to race in respect of the claimant's dismissal because it has no reasonable prospects of success is refused.

5. Save in respect of the claimant's dismissal, the other complaints of harassment relating to race are struck out under Employment Tribunal Rule 37(1)(a) because they have no reasonable prospect of success.
6. The claim of harassment related to race in respect of the claimant's dismissal was not presented within the applicable time limit but it is just and equitable to extend the time limit. The claim will therefore proceed.

Victimisation

7. The claim of victimisation out struck out under Employment Tribunal Rule 37(1)(a) because it has no reasonable prospect of success.

Employment Judge Barry Smith
18 June 2024

JUDGMENT & REASONS SENT TO THE PARTIES ON

25 June 2024

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FOR THE TRIBUNAL OFFICE

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.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.