



# THE EMPLOYMENT TRIBUNALS

## BETWEEN

**Claimant:** Mr S Mitchison  
**Respondent:** McDonald's Restaurants Ltd

**Heard at:** Newcastle Hearing Centre (by CVP)                      **On:** 8 April 2022

**Before:** Employment Judge Morris (sitting alone)

### Representation:

**Claimant:** In person  
**Respondent:** Mr S Proffitt of counsel

## JUDGMENT

The Judgment of the Employment Tribunal is as follows:

1. The claimant's complaints of, first, wrongful dismissal and, secondly, that the respondent had failed to permit him to be accompanied at a disciplinary hearing by his chosen companion were not presented to the Employment Tribunal within the primary time period of three months (plus Early Conciliation extension) provided for in, respectively, article 7 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 and section 11(2)(a) of the Employment Relations Act 1999; and, in each case, it was reasonably practicable for the claimant to have presented his complaints within that time period.
2. The complaints not having been presented in time, the Tribunal is precluded from considering either of them.

**EMPLOYMENT JUDGE MORRIS**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 10 April 2022**

**Notes**

**Video hearing**

This was a remote hearing, which had not been objected to by the parties. It was conducted by way of the Cloud Video Platform as it was not practicable to convene a face-to-face hearing, no one had requested such a hearing and all the issues could be dealt with by video conference.

**Reasons**

Reasons for the above Judgment having been given orally at the hearing, and no request having been made at the hearing, written reasons will not be provided unless a written request is presented within 14 days of the sending of this written record of the Judgment.

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