



VCD

# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

**Respondent**

Ms P McNally

**AND**(R1) Network Rail Infrastructure Ltd  
(R3)Mr Naginder Sadhu  
(R4) Mr Balvinder Singh

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT Birmingham**

**ON 5,6,7,8,9,12 and 13 November  
2018**

**EMPLOYMENT JUDGE VC Dean**

**MEMBERS Mr RW White  
Mr J Reeves**

### Representation

**For the Claimant: Mr Mortis, Solihull CAB lay representative**

**For the Respondent: Ms Barry, of counsel**

## JUDGMENT

**The judgment of the Tribunal is that:**

1. The claimant's complaint of unfair dismissal has been withdrawn and is dismissed.
2. The claimant complaint of unlawful discrimination contrary to s13 of the Equality Act 2010 because of the protected characteristic of race has been withdrawn and is dismissed.
3. The claimants complaint's, in so far as they are in relation to acts or omissions that occurred before 30 May 2017 against the First respondent and before 6 June 2017 against the Third and Fourth respondents, are not presented within the time limits contained in s123

of the Equality Act 2010 and the tribunal does not have jurisdiction to entertain said complaints and it is not just and equitable to extend time.

4. The claimant's complaints that she has been subject to unlawful discrimination of direct discrimination, contrary to s13 of the Equality Act 2010 because of the protected characteristic of sex, against the First, Third and Fourth respondents do not succeed and are dismissed.
5. The claimant's complaints that she has been subject to unlawful discrimination of harassment contrary to s 26 of the Equality Act 2010 because of the protected characteristic of sex against the First, Third and Fourth respondents do not succeed and are dismissed.
6. The claimant's complaints that she has been subject to a detriment being victimisation contrary to s27 of the Equality Act 2010 against the First, Third and Fourth respondents to the complaint do not succeed and are dismissed.

**Employment Judge Dean  
13/11/2018**

**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.**