



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr N Birk

and

Respondent
British Airways plc

Public Preliminary Hearing
held at Reading on

26 March 2019

Representation Claimant:
Respondent:

Mr J Singh , legal representative
Mr B Randle, counsel

Employment Judge Mr SG Vowles (sitting alone)

JUDGMENT

Evidence

1. The Tribunal heard evidence on oath and read documents provided by the parties. From the evidence heard and read the Tribunal determined as follows.

Withdrawal of Claims

2. The claims of Direct Disability Discrimination, Indirect Disability Discrimination, Victimisation, Harassment and Direct Race Discrimination were withdrawn by the Claimant on 9 January 2019 and they are dismissed.

Disability – section 6 Equality Act 2010

3. The Claimant was not a disabled person within the meaning of section 6 of the Act. The complaints of Discrimination Arising from Disability and Failure to make Reasonable Adjustments therefore fail and are dismissed.

Unfair Dismissal – section 98 Employment Rights Act 1996

4. The claim of Unfair Dismissal was withdrawn by the Claimant at the end of the hearing and it is dismissed.

Full Merits Hearing 12-15 August 2019

5. The hearing listed on 12-15 August 2019 is cancelled.

Reasons – rule 62 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

6. Reasons for this judgment were given orally at the hearing. Written reasons will not be provided unless a written request is presented within 14 days of the date this judgment is sent to the parties.

Public Access to Employment Tribunal Judgments

7. The parties are informed that all judgments and reasons for judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the Claimant and Respondent.

Employment Judge Vowles

Date: ...26.03.2019.....

Sent to the parties on:

...12.04.19.....

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For the Tribunals Office