



EMPLOYMENT TRIBUNALS

Claimant: Ms S Rowley

Respondent: Department for Work and Pensions

Heard at: Leeds Employment Tribunal

On: 29 April 2019

Before: Employment Judge Buckley

Representation

Claimant: Mr Johns (Counsel)

Respondent: Mr Maxwell (Counsel)

JUDGMENT

1. The claims for victimisation, breach of contract (notice pay and contractual benefits and unauthorised deductions from wages (holiday pay and other deductions) are **STRUCK OUT** because they have no reasonable prospects of success.

REASONS

1. The detriment relied on in the claim for victimisation was a failure to make reasonable adjustments. The claimant was not at the relevant time a disabled person within the act and therefore no duty to make reasonable adjustments arose. On this basis the claimant has no reasonable prospects of persuading a tribunal that she had been subjected to a detriment.
2. The breach of contract claim (notice pay) has no reasonable prospects of success because the claimant agreed to and was paid in lieu of notice. No other breach of contract claim has been particularised and therefore on the information before me it has no reasonable prospects of success.
3. No information has been provided in support of the claims for unauthorised deductions from wages and therefore on the information before me these claims have no reasonable prospects of success.

Employment Judge Buckley

29 April 2019