



IN THE EMPLOYMENT TRIBUNAL (SCOTLAND) AT EDINBURGH

Determination, Issued in Case No 4102016/2017 Following initial consideration by the Tribunal, of Application at the instance of the claimant dated 1 July 2019 for Reconsideration by the Tribunal of its Judgment of 17 June 2019

Employment Judge J G d’Inverno, QVRM, TD, VR, WS

Miss B Robinson

**Claimant
In Person**

Fife Health Board

**Respondent
(Represented by
Mr A Watson, Solicitor)**

DETERMINATION OF THE EMPLOYMENT TRIBUNAL

Edinburgh 31 August 2019

The Employment Judge having resumed consideration, in terms of Rule of Procedure 72(1) of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, of the application at the instance of the claimant, bearing to be dated in its terms “24 July 2018” but intimated to the Tribunal under cover of the claimant’s email of 1 July 2019 timed at 13:32 in which it is described as “attachment: Reconsidered Judgment 17 June 2019.docx” and thus, bearing to be an application for Reconsideration by the Tribunal of its Judgment dated 14th and issued to parties on 17 June 2019 (“the Judgment of 17 June 2019”); and, considering that there is no reasonable prospect of the original decision being varied or revoked:-

(First) Refuses the application for Reconsideration and affirms the Tribunal's Judgment of 14/17 June 2019.

(Second) Directs that fresh listing stencils with a return date of 30 September 2019 and canvassing parties' availability for the conduct of a final hearing in the months of December 2019/January/February 2020, be issued to parties/their representatives forthwith.

NOTE

1. The claimant's Application for Reconsideration dated 1 July 19 ("The Application") for Reconsideration of the Judgment dated 14th and issued to parties on 17 June 2019 (the Judgment of 17 June) is, in its terms, unclear as to which paragraphs of the determinative Judgment and Case Management Orders of that date, it is intended to be directed.
2. Insofar as the claimant may intend the Application to be directed to all paragraphs of the determinative Judgment and Case Management Orders; that is paragraphs **(First)** to **(Third)** inclusive, I consider that there is no reasonable prospect of those original decisions being varied or revoked.
3. Paragraphs **(First)** to **(Third)** of the Judgment of 17 June 2019 in respect of which Reconsideration is sought, are in the following terms:-

"(First) The respondent's application for strike out of 'all or any of the complaints of discrimination' is refused.

(Second) The complaint of constructive dismissal and a complaint of section 26 Equality Act 2010 Harassment, restricted to that given notice of by the averments appearing at paragraph 44 on page 7 and in the third, fourth and fifth sentences of the unnumbered bullet pointed paragraph on page 8 of the paper apart to the initiating application ET1; and in the terms which are expressly set out at paragraph 40 of the Note attached to this Judgment, are appointed to a final hearing to proceed at Edinburgh on dates to be afterwards fixed by date listing stencil.

(Third) The respondent's application for the making of a Deposit Order in respect of the complaint of disability discrimination is refused."

4. As the claimant's position at the Open Preliminary Hearing to which the Judgment of 17 June 19 relates was that of opposing the respondent's applications for strike out and or for the making of a Deposit Order and, absent any express reference to the same in the application of 1 July 19, I consider that the application is not directed to paragraphs **(First)** or **(Third)** of the Judgment of 17 June 2019 but rather seeks Reconsideration by the Tribunal of the terms of paragraph **(Second)** in terms of which the Tribunal remits to final hearing the complaints of constructive dismissal and that of section 26 Equality Act 2010 Harassment, in terms of the specification set out expressly in and by reference to, paragraph 40 of the Note attached to the Judgment.
5. Paragraphs 40 and 41 of the Note attached to the Judgment of 17 June 2019 expressly records, for the avoidance of doubt, the terms of the disability discrimination claim which, in addition to the complaint of constructive dismissal, is remitted to final hearing viz:-

"40. For the avoidance of doubt and to assist parties in preparing for the final hearing, the terms of the relevant averments which are remitted to final hearing are expressly reiterated below:-

- (a) from paragraph 44 on page 7 of the paper apart” [of the ET1] “:-

'44 On the 10th May 2017 I attended at an OH appointment. Dr Blair (Dr B) showed me the report sent by CB dated 13th April 2017. It was offensive, degrading and contained false allegations against me. Dr B stated that it was heading towards a Disciplinary Hearing. This report did not create an environment towards mediation but rather dismissal. The OH report meant more procedures and policies. Due to what was happening at work my health was deteriorating and I was in fear of what was happening. I was feeling suicidal at work as I had no control over what was happening. There was no plan to move forward. This was the final straw.'; and,

- (b) in the third, fourth, fifth and sixth sentences and appearing in lines 3, 4, 5, 6 and 7 of the unnumbered bullet pointed paragraph first appearing at the top of page 8 of the paper apart to ET1 under the heading 'Disability Discrimination (DD)':-

'All OH reports stated I was fit for NNU and OH recommendations such as Staff Resilience course was never followed. The degrading work environment, bullying and false allegations caused CFS flare ups, depression and WRS. The last event of DD was the OH appointment report dated 13th April 2017 which I saw on the 10th of May 2017'.

41. For the avoidance of doubt it is made clear that the general and unparticularised averments contained in the first and second sentences of the first paragraph appearing on page 8, of the ET1 paper apart, vis (*sic*

viz) I suffered Disability Discrimination (DD) with constant reference to my admission to a mental health hospital and CFS.’; and ‘There were constant inference that I would not be able to work in NU again due to my health issues.’, are not remitted to final hearing.”

Structure of the Application for Reconsideration

6. The application opens with five paragraphs of recital in which the claimant advances the following propositions:-

- “● That it is unfair to “*restrict my disability discrimination to just that of ‘harassment’ and to restrict it to one incident (second)*” – [that is to the averments set out at paragraph 40 of the Note to the Judgment;]

- That “*there was an ongoing state of affairs during my employment with NHS Fife regarding my disabilities and it continued after my resignation.;* and,

- *I request that the following forms of disability discrimination be included:-*
 - *victimisation*
 - *reasonable adjustment*
 - *discrimination arising from disability.*

7. The application, which extends to some five pages of unnumbered paragraphs, is thereafter divided into seven sections under the following headings:

“Judgment

ET3

Agenda

Job reference – victimisation ?? discrimination arising from disability

Constructive dismissal

Burden of proof

Overriding Objective.”

8. Within each section the claimant quotes variously from; the judgment, submissions made by the respondent at the Open Preliminary Hearing to which the Judgment relates, the respondent’s pleadings in the paper apart to their ET3 and to various documents submitted by the claimant, on previous occasions, in tendered compliance with the Tribunal’s Orders but which the Tribunal held were not compliant with its Orders and did not receive.
9. In each section, against the background of such quotations the claimant poses questions and or reiterates arguments advanced by her at previous Open Preliminary Hearings and already disposed of by the Tribunal in the Judgments which were issued following the same.
10. In giving consideration to the detail of the Application, it is important to bear in mind the procedural background to the case and the fact that the various matters to which the claimant makes reference to the Judgment of 17 June “excluding”, are matters which have never formed part of the claimant’s claim, reference to them invariably changing forms having been contained in documents which the Tribunal, in terms of its earlier Judgments has declined to receive as being non-compliant with the terms of its Orders.

Procedural History:-

- The claimant’s form ET1 was first presented on 21 June 2017.
- Following Closed Preliminary Hearing (Case Management Discussion) Judge Atack, in terms of his Orders of 18/23 August 2017 directed that the claimant further specify certain aspects of the “intended claims” to which she made reference variously in her CMD Agenda and orally in

the course of that first Case Management Discussion but which were not disclosed in her ET1.

- On 8 September 2017 the claimant intimated two documents respectively extending to 23 pages referred to by her as the claimant's "Specification Document or Document 5", and to 32 pages referred to as the claimant's "Events Document or Document 6" in tendered compliance with the Tribunal's Orders.
- Exception to those documents on various grounds was taken, by the respondents who contended that they should not be received by the Tribunal as Further Particulars of Claim.
- Following Open Preliminary Hearing and in terms of its subsequent Judgment of 5 July, issued, on 10 July 2018, to the terms of which parties are again referred, the Tribunal declined to receive the documents as Further Particulars of Claim on the various grounds set out in the judgment while also allowing to the claimant a period of time within which to bring forward a Minute of Amendment if so advised and issuing direction to the claimant regarding the focusing of her complaint of constructive dismissal all with a view to narrowing the width of evidential enquiry and the consequently disproportionate burden of the same, all in terms of paragraphs **(First)** to **(Twelfth)** of its Judgment of 5/10 July 2018, viz;

"(First) That there is recorded:-

- (a) the claimant's clarification, made orally in the course of Open Preliminary Hearing that under the jurisdiction of "breach of contract" the claimant intends to give notice only of a complaint of constructive dismissal and not of any other complaint and the claimant's further

confirmation that she does not seek to place before the Tribunal any freestanding complaint or claim for damages for personal injury by reason of work related stress.

- (b) There be recorded the claimant's confirmation, made in the course of Open Preliminary Hearing, that the "final straw" which she relies upon for the purposes of her constructive unfair dismissal claim is the Occupational Health referral, made by Charmaine Bremner in relation to the claimant on 13th April 2017, and which contained what the claimant considered to be false accusations about her.

(Second) The claim for damages for personal injury allegedly caused by work related stress is dismissed for want of jurisdiction.

(Third) That the two documents first intimated by the claimant on 8th September 2017 in tendered compliance with Judge Atack's Orders of 18th/23rd August 2017 being respectively the documents referred to as "document 5" or "Specification Document" and as "document 6" or "Events Documents" are documents which variously:-

- (a) contain elements which would require the prior granting of Leave to Amend;
- (b) do not in themselves contain the specification which the claimant herself indicated in the course of Open Preliminary Hearing she wished to give notice of;

- (c) are difficult and onerous to read for the purpose of extracting the directed specification;
- (d) in parts, amount substantially to the pleading of evidence and are so broad in their scope as to fail to provide the specification directed by Judge Atack or to disclose, under the various headings contended for, relevant claims which can be seen to enjoy reasonable prospect of success;
- (e) in part, seek to introduce new claims not given notice of in form ET1 and based upon new averments of fact in relation to various unconnected acts said to have occurred over a two year period the majority of which, and subject to certain minor exceptions, are time barred;
- (f) if received and when taken together with the averments contained in the initiating Application ET1 first presented on 21st June 2017 the documents would not constitute compliance with Judge Atack's Orders of 18th/23rd August 2017 thus giving rise to the possibility of strike out of the claims for want of compliance;
- (g) that separately, the effect of allowing documents 5 and 6 to be received and incorporated into the pleadings, contrary to that of narrowing the matters in dispute between the parties and thus focusing the relevant issues both preliminary and on the merits which was intended in terms of Judge Atack's Orders, would be,

- i. to substantially widen and render more obscure the scope of any enquiry;
- ii. to place an unduly onerous burden, in terms of cost and scope of enquiry, upon the respondents;
- iii. productive of requirement for an evidential Hearing of between 30 and 45 days on parties' respective estimates;
- iv. would not be proportionate in the circumstances; and,
- v. would run the risk of essential issues being obscured in a volume of detail such as would require intervention prior to Hearing to restrict the admissibility of evidence and in consequence the scope of the pleadings in terms of which the basis for it was advanced.

(h) If received and allowed to form part of the pleadings would not assist the furtherance of but rather would frustrate, the overriding objective

(Fourth) The claimant's Specification Document ("document 5") and Events Document ("document 6"), tendered by the claimant on 8th September 2017 in proffered compliance with Judge Atack's Orders of 18th/23rd August 2017, are not received by the Tribunal.

(Fifth) Separately, the unconnected events referred to by the claimant in documents 5/6 which are said to have occurred

earlier than 9th June 2017 are time barred for the purposes of supporting the claimant's complaints of discrimination and should not be included in any subsequent document tendered by the claimant in compliance with Judge Atack's Orders and, if included in any tendered Minute of Amendment will be subject to the challenge of time bar in the context of the granting or refusal of Leave to Amend.

(Sixth) The claimant's initiating Application ET1 including the paper apart attached thereto and which the claimant first presented to the Employment Tribunal on 21st June 2017 contains notice of the following complaints only:-

- (a) constructive unfair dismissal;
- (b) discrimination because of the protected characteristic of disability by reason of Chronic Fatigue Syndrome (CFS), and by way of:-
 - (i) harassment (section 26 of the Equality Act 2010)
 - (ii) victimisation (section 27 of the Equality Act 2010) (the protected act founded upon by her being her submission, on 24th March 2017, of her grievance)

(Seventh) The claimant's initiating Application ET1 including the paper apart attached to it does not give notice of any complaint of discrimination:-

- (a) by reason of failure to comply with a duty to make adjustments (sections 20 and 21 of the Equality Act 2010; nor of,
- (b) disability arising from discrimination (section 15 of the EqA 2010);

and, insofar as the claimant wishes to insist upon adducing such complaints she will require to do so by incorporating the relevant averments in a tendered Minute of Amendment and by making formal application, in accordance with the Rules of Procedure, for Leave to Amend in its terms.

(Eighth) Allows to the claimant a period of 28 days from the date of promulgation of this Judgment within which to take advice and, if so advised, to lodge with the Tribunal and to intimate to the respondent's representative a tendered Minute of Amendment together with a written Application, made and intimated in terms of the Rules of Procedure, for Leave to Amend; and allows to the respondent's representative a further period of 14 days thereafter to consider the terms of the tendered amendment and to write to the Tribunal and to the claimant confirming whether the Application for Leave to Amend is to be opposed in whole or in part, and, if in part, identifying by reference to paragraph and line number those parts of the amendment to which respectively no objection is taken and those parts in respect of which the Application for Leave to Amend is opposed.

(Ninth) The claimant is ordered of new to send to the respondent's representative and to the Tribunal, within 28 days of the date of promulgation of this Judgment further written particulars of the complaints of discrimination by reason of harassment and of discrimination by reason of

victimisation the same being restricted to the complaints of harassment and of victimisation already given notice of in the paper apart attached to her initiating Application ET1 and further being:-

(a) in relation to the complaint of harassment specification:-

(i) of each of the acts of unwanted conduct within the three month period immediately preceding the 21st of June being the date of first presentation of the ET1 that, is in the period 21st March to 21st June 2017; and of, within the same three month period,

(ii) each instance of unwanted conduct related to her protected characteristic of disability, on the part of the respondent's employees,

upon which she relies and by reference, in respect of each such instance, to:-

- what,
- where,
- when,
- between which parties/at whose hands (that is by which of the respondent's employees) and, by reference to what, in each instance it is that the claimant relies upon as going to show that she was subjected to the detriment because she had lodged her grievance on 27th March 2017

- by which means of communication and, where appropriate, by reference to the specific words allegedly used;
- (b) and, in relation to the complaint of victimisation, of each of the detriments which the claimant offers to prove the respondent subjected her to and occurring after and because of the protected act of lodging her grievance on 24th March 2017 and including in respect of each such detriment relied upon specification of:-
- when,
 - where,
 - at whose hands (that is by which of the respondent's employees) and, by reference to what, in each instance it is that the claimant relies upon as going to show that she was subjected to the detriment because she had lodged her grievance on 27th March 2017

(Tenth) Allows to the respondent's representative a further period of 21 days thereafter, that is a period of 49 days from the promulgation of this Judgment within which to consider the Further Particulars provided and to adjust the paper apart to form ET3 in response thereto, if so advised.

(Eleventh) Orders the claimant to provide to the respondent's representative and to the Tribunal, within 28 days of the date of promulgation of this Judgment, Further Particulars of her complaint of constructive unfair dismissal being:-

(a) specification of no more than 10 alleged acts or omissions of the respondent's/the respondent's employees, including the submission by Charmaine Bremner on or about 13th April 2017 of an Occupational Health referral containing alleged false allegations against the claimant which she has now identified as the last straw, and which the claimant offers to prove individually or collectively constituted a material breach of her Contract of Employment entitling her to resign and in response to which she asserts she resigned on 12th May 2017 the same restricted to matters made reference to and given notice of in the paper apart to the claimant's initiating Application ET1 and; in relation to each such act or omission relied upon by specification of:-

- what,
- when,
- where,
- at whose hands/between which parties,
- by which means of communication and, where relevant, by reference to specific words allegedly used; and

(b) allows to the respondent's representative a further period of 21 days thereafter that is 49 days from the date of promulgation of this Judgment within which to consider the Further Particulars of Claim and, if so advised, to

adjust the paper apart to form ET3 in response thereto.

(Twelfth) Appoints the case to a Closed Preliminary Hearing (Case Management Discussion) of two hours duration to proceed before the sitting Judge at Edinburgh on 4th September 2018 at 10 am; **and directs that Confirmation of Hearing Notice be issued to parties in that regard forthwith.**”

Procedural History Continued:-

- No appeal was taken against the terms of the Tribunal's Judgment of 5/10 July 2018 in terms of which the Tribunal had reiterated, in further detail the Tribunal's earlier and uncompiled with Order that the claimant provide specification of particular claims identified in the Order and further specification focusing the issues of fact and narrowing the scope of enquiry in the constructive unfair dismissal claim including the insufficiently particularised complaint of victimisation
- By application dated 24 July 2018 the claimant sought Reconsideration of the Judgment on grounds which are now broadly replicated albeit in a slightly different format in this application, dated 1 July 2019, for Reconsideration of the Tribunal's further Judgment of 17 June 2019.
- By determination dated 15th of August 2018 the Tribunal refused the application for Reconsideration in terms to which parties are again referred.
- On 13 September 2018 the claimant intimated an 83 page document, not presented as an amendment or supported by any application for Leave to Amend, in tendered compliance with the Tribunal's Order paragraph **(Ninth)** and **(Eleventh)** attached to its Judgment of 5/10 July 2019.

- Exception was taken to the tendered 82 page document by the respondent who contended; that it did not constitute compliance with the Tribunal's Orders and on that basis should not be received and who sought the fixing of an Open Preliminary Hearing for determination of application for strike out of the claim on the grounds of non-compliance with Orders of the Tribunal.
- The issue of whether the tendered 82 page document did or did not constitute compliance with the Tribunal's Orders and should or should not be received by the Tribunal as further particularisation of the claimant's claim was discussed by the parties and the Tribunal at a Closed Preliminary Hearing fixed for that purpose and for the purpose of determining appropriate further procedure and which proceeded before the sitting Judge at Edinburgh on 20 November 2018. In its Orders issued at and following the Case Management Discussion the Tribunal having considered the same recorded the fact the non-compliance of the 83 page document, tendered by the claimant on 13 September 18, with the Tribunal's Orders 9th and 11th of 5th/10th July 2018 and the fact that that document was not received by the Tribunal as Further Particulars of Claim. The Orders of 20 November 2018, to which parties are again referred are in the following terms:-

"The Employment Judge having heard the claimant and the respondent's representative ("the parties") in Case Management Discussion:-

(First) Records that the 83 page document tendered by the claimant on 13th September 2018 is not compliant with the Tribunal's Orders **(Ninth)** and **(Eleventh)** of 5th/10th July 2018 and is not received by the Tribunal as Further Particulars of Claim.

(Second) Allows to the respondent's representative a period of 12 days from the 26th of November 2018 within which, if to be insisted upon, to intimate to the claimant and lodge with the Tribunal, in compliance with the Rules of Procedure, a formal application for strike out of all or part of the claims of discrimination; and, let it be assumed that the Tribunal were to decline to strike out all or part of the claims so identified, an Application, in the alternative, for appointment to a Final Hearing of specified claims of discrimination and the claim of constructive unfair dismissal, insofar as sufficiently specifically given notice of in the existing pleadings that is to say in the paper apart to the initiating Application ET1.

(Third) Allows to the claimant a further period of 12 days thereafter, that is within 24 days of 26th November 2018 to write to the respondent's representative, with a copy to the Tribunal, confirming whether any such Application, if made, is objected to in whole or in part.

(Fourth) Appoints the case to a one day Open Preliminary Hearing, for consideration and determination of the formal Application for Strike Out/Allowance of Final Hearing, if insisted upon and opposed, to proceed at Edinburgh before the sitting Judge and commencing at 10 am on a date in February/March/April 2019 to be afterwards fixed by date listing stencil and in consultation with the Judge; **and directs that date listing stencils with a return date of 24th December 2018 be issued to parties in that regard forthwith.**"

- The Open Preliminary Hearing, to which the case was appointed in terms of Order **(Fourth)** of 20/26 November 2018 ultimately proceeded between the parties on 21 February 2019, for determination, amongst

other matters of the respondent's application for strike out of "*all or any of the complaints of discrimination and remittance of the complaint of constructive unfair dismissal to final hearing in the terms sought by them*".

- In the terms of its Judgment issued following that Open Preliminary Hearing, the Judgment of 17 June 2019 the terms of which are set out at paragraph (3) above the Tribunal refused the respondent's applications for strike out and, in the alternative for the making of a Deposit Order and remitted the complaint of section 26 EqA 2010 Harassment, as set out in the initiating application ET1, to final hearing together with the complaint of constructive unfair dismissal and the terms of the claimant's averments identified by it at paragraph 40 and 41 of the Note appended to its Judgment.
- By Notice dated 11 July 2019 the claimant appealed to the Employment Appeal Tribunal against the Tribunal's Judgment of 17 June 2019. That Appeal remains on the dependance.
- By email dated 1 July 2019 the claimant made application to the Employment Tribunal for Reconsideration of its Judgment of 17 June 2019.

11. In relation to the detail of the application, at the top of page 2 under the heading "point 30" the claimant quotes from paragraph 30 of the Judgment and makes the following statement:-

“**Point 30** 'I consider that the complaint given notice of falls to be reasonably construed as a complaint of victimisation
I am unclear why then is victimisation therefore being dismissed.'”

12. In the quotation set out above, from paragraph 30 of the Judgment, the claimant cuts off and excludes the last ten words of the sentence which following on from

the word 'victimisation' continues thus;- 'in terms of section 26 of the Equality Act 2010.' Those words, together with the wording of the balance of paragraph 30, of paragraph 31 and 32 disclose, on their face, that the use of the term 'victimisation' where it appears in the fourth line of paragraph 30, is an erroneous use which has occurred through accidental slip, the term which should properly have been used being that of 'harassment' and which as is made clear by the statutory reference contained in the last ten words of the sentence which have been omitted by the claimant in the quotation which she has included in the application.

13. Parties are referred to the Tribunal's separate Order and Certificate of Correction issued under Rule 69, in terms of which the mistake has been corrected and are further referred to the corrected version of page 17 of the Judgment which has been sent to parties.
14. Otherwise, the content of the application for Reconsideration set out under the seven section headings amount to a reiteration of arguments already made and considered by the Tribunal in the context of its issued disposals not only at the Open Preliminary Hearing but also in the context of its earlier Judgment of 10 July 2018 and its Determination of 15 August 2018 of the claimant's subsequently made application for Reconsideration of that Judgment. Separately, those reiterated arguments, as on the two previous occasions when they were advanced before the Tribunal, are again predicated on an assumption that the source documents giving rise to them, that is the claimant's so-called "Specification Document – Document 5" and "Events Document – Document 6" of 8 September 2017 and or the claimant's 82 page document of 13 September 2018; and intimated variously in tendered compliance with the Tribunal's earlier Orders, have been received by the Tribunal as Further Particulars of the claimant's claims and form part of her written pleadings. That however is not the case the Tribunal having, as set out above, determined that those documents were not compliant with its Tribunal's Orders and having declined to receive them, all in terms of Judgments not appealed and reaffirmed in the face of an earlier application for Reconsideration. The claimant's reluctance or inability to accept the Tribunal's earlier Determinations issued following full hearings which is referred to at

paragraph 27 of the Judgment, with the exception of the erroneous reference to 'victimisation' dealt with above, also appears to substantially inform the terms of this application for Reconsideration.

15. In the context of that background, I do not consider that the application discloses grounds upon which the Tribunal's Judgment should be varied or revoked. The same, particularly so where the arguments upon which Reconsideration is sought have already been advanced before the Tribunal and not sustained. The issues of, victimisation, reasonable adjustments and discrimination arising from disability in respect of which the claimant has failed to particularise in compliance with the Tribunal's original and reiterated Orders, have all been considered in the context of the Tribunal's earlier Judgments and Determinations. Accordingly in terms of Rule of Procedure 72(1) I refuse the application for Reconsideration and direct that the clerk shall inform the parties of the refusal.

16. Insofar as the Tribunal may be considered, in terms of its Judgment of 17 June 2019, to have misdirected itself in law, that is a matter the determination of which falls properly within the remit of the Employment Appeal Tribunal and in respect of which the current extant appeal provides an appropriate vehicle. As stated in the Judgment of 17 June the Overriding Objective is not served in this case by further delay in the bringing to hearing of the complaint of constructive dismissal and the section 26 EqA 2010 complaint of harassment as have been remitted to evidential hearing. Date listing stencils with a return date of 14 October 2019, canvassing parties' availability for the conduct of a final hearing in the months of December 2019/January/February 2020 should, therefor, be issued to parties' representatives in that regard forthwith.

Date of Judgement: 13th September 2019

Employment Judge: J d'Inverno

Date Entered in Register: 13th September 2019

And Copied to Parties

