EMPLOYMENT TRIBUNALS

Claimant: Miss R Ricciardi

Respondent: Oliver's Cleaning Contractors Limited

RECORD OF A PRELIMINARY HEARING

Heard at: Watford   **On:**   4 November 2019

Before: Employment Judge Jack

Appearances
For the claimant: In person
For the respondent: Ms J Dyson, Employment Law Advisor
                      Mr G Oliver, Company Director
                      Mr J Oliver, Company Director

CASE MANAGEMENT SUMMARY

1.   The tribunal discussed the issues with the claimant. She accepted that she had received notice monies on her dismissal. The tribunal discussed s.6(1) of the Equality Act 2010 with the claimant. She accepted that she did not fall within the definition of "disability".

2.   The claimant had less than two years' service. Since she was not disabled within the meaning of the Equality Act, she did not have sufficient service to bring a claim for unfair dismissal.

3.   Likewise, the claimant's claim for harassment and bullying fell outside the Tribunal's jurisdiction. If the harassment and bullying was unrelated to "disability" (as defined in the Equality Act).

4.   Whether the County Court has jurisdiction in relation to the claim of harassing and bullying is not a matter for this Tribunal to determine. Nonetheless the Tribunal urges the claimant to take legal advice from a solicitor, a law centre or a Citizens' Advice Bureau before issuing any further proceedings.

JUDGMENT

1. The claim for notice monies is dismissed on withdrawal, the respondent having paid the claimant.

2. The claim for disability discrimination is dismissed on withdrawal, the claimant accepting that her disability does not fall within the definition in s.6(i) of the Equality Act 2010.

3. The claim for harassment and bullying is dismissed on withdrawal, the Tribunal having no jurisdiction over such a claim after the dismissal of the disability discrimination claim.

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Employment Judge Jack

4 November 2019
Date:…………………………

Sent to the parties on:

22 November 2019

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For the Tribunal:

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