



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss A Williams

**Respondent:** High Speed Two (HS2) Limited

**Heard at:** Birmingham

**On:** 10 January 2020

**Before:** Employment Judge Flood (sitting alone)

## Appearances

For the claimant: In person

For the respondent: Mr Livingston (of Counsel)

## JUDGMENT ON PRELIMINARY HEARING

1. The claimant's complaint of indirect disability discrimination (section 19 Equality Act 2010) is dismissed upon withdrawal.
2. The claimant's application for permission to amend her claim so as to add a complaint of being subjected to a detriment on the grounds of having made a protected disclosure on 9 December 2018 (section 47B Employment Rights Act 2006 ("ERA")) is allowed to the extent it relates to the following allegations of detrimental treatment:
  - a. Being issued with a verbal warning on 18 December 2018; and
  - b. An allegation of gross misconduct being made following an incident on 25 January 2019.
3. The claimant's application for permission to amend her claim so as to add a complaint of being subjected to a detriment on the grounds of having made a protected disclosure on 9 December 2018 (section 47B ERA) is refused as it relates to the allegation of detrimental treatment of the respondent ignoring medical advice for a phased return to duties from 23 January 2019.

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.

**Employment Judge Flood**  
**15/01/2019**