



## EMPLOYMENT TRIBUNALS

BETWEEN

<b>Mr P Kawczynski</b> <b>(Claimant)</b>	<b>and</b>	<b>Winner Recruitment</b> <b>(Birmingham) Limited</b> <b>(Respondent)</b>
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**Held at:** Birmingham, remotely by CVP

**On:** 28 September 2020

**Before:** Employment Judge T Coghlin QC

**Representation:**

**Claimant:** Mr T Gracka, consultant

**Respondent:** Mr C Breen, counsel

## **JUDGMENT ON A PRELIMINARY ISSUE**

The claimant was at all material times (which is to say from 9 December 2017 until the date of submission of his ET1) disabled within the meaning of the Equality Act 2010 by reason of each of the following impairments:

- (1) kidney/urinary tract problems;
- (2) pulmonary difficulties (collapsed lung and fluid in the lungs) which were a complication of treatment for the claimant's urinary tract problems; and
- (3) severe disfigurement.

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 Coghlin

28 September 2020