



EMPLOYMENT TRIBUNALS

Claimant: Mrs K Xidakis

Respondent: Rolls-Royce PLC

Heard at: Nottingham/Midlands East (by Cloud Video Platform)

On: 14, 15, 16 December 2020 and 5, 6, 8, 9, 12 July 2021

Before: Employment Judge Faulkner
Mrs D Newton
Ms J Dean

Representation: **Claimant** - Mr R Somerville (Counsel)
Respondent - Ms A Niaz-Dickinson (Counsel)

JUDGMENT

1. The Respondent has not refused to permit the Claimant to exercise her rights under regulation 13 of the Working Time Regulations 1998 (“the Regulations”). Her complaint under the Regulations is therefore not well-founded.

2. The Respondent did not contravene section 39 of the Equality Act 2010 by treating the Claimant unfavourably because of something arising in consequence of her disability, in refusing to let her carry over annual leave entitlement other than that provided by regulation 13 of the Regulations from any of the holiday years 2018, 2019 or 2020. The Claimant’s complaints in this respect are therefore dismissed.

3. The Respondent did not contravene section 39 of the Equality Act 2010 by failing to comply with the duty to make reasonable adjustments in relation to the requirement that the Claimant work with Tim Dolman. The Claimant’s complaints of failure to make reasonable adjustments are therefore also dismissed.

Note: This was a remote hearing. The parties did not object to the case being heard remotely. The form of remote hearing was video. It was not practicable to hold a face-to-face hearing because of the COVID-19 pandemic.

Employment Judge Faulkner

Date: 16 July 2021

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Notes

1. 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.

2. All judgments and written reasons for the judgments (if provided) are published, in full, online at www.gov.uk/employment-Tribunal-decisions shortly after a copy has been sent to the parties in a case.