



EMPLOYMENT TRIBUNALS

Claimant: Miss S Henderson

Respondent: Peninsula Business Services Ltd

JUDGMENT AT A PRELIMINARY HEARING

Heard at: Leicester (via CVP)

On: 17 January 2022

Before: Employment Judge Ahmed (sitting alone)

Representation

For the Claimant: In Person

For the Respondent: Miss Jackson (Trainee Solicitor)

The Judgment of the Tribunal at this Preliminary Hearing is that:

1. The complaints of an unlawful deduction of wages and breach of contract were presented out of time. It was reasonably practicable to present them in time. The complaints of an unlawful deduction of wages and breach of contract are therefore struck out.
2. The issue of whether the complaint of disability discrimination was presented in time shall be determined at the full merits hearing, if necessary.
3. By consent, the Claimant was at all material times a 'disabled person' within the meaning of section 6 and Schedule 1 of the Equality Act 2010 in relation to the impairments of borderline personality disorder and anxiety and depression.
4. The Claimant was at all material times a 'disabled person' within the meaning of section 6 and Schedule 1 of the Equality Act 2010 in relation to the impairments of stress and an eating disorder.
5. The case is listed for a Preliminary Hearing before an Employment Judge sitting alone on **Wednesday 11 May 2022 at 11.00am** to determine whether the complaints of disability discrimination and the counterclaim should be struck out if it is considered they have no reasonable prospects of success.

6. Case management orders in respect of the Preliminary Hearing are given separately.

Employment Judge Ahmed

Date: 17 January 2022

Covid-19 Note: This has been a remote hearing by telephone which has not objected to by the parties. The form of remote hearing was by telephone. A face to face hearing was not held because it was not practicable due to the Covid-19 Pandemic and all issues could be determined in a remote hearing.