



EMPLOYMENT TRIBUNALS

Claimant: Ms A Zenderowska

Respondent: Morgan Sindall Construction & Infrastructure Ltd

RECORD OF A PRELIMINARY HEARING

Heard at: Watford (CVP) **On:** 24 March 2022

Before: Employment Judge Daniels (sitting alone)

Appearances:

For the claimant: In person

For the respondent: Mr Way (Counsel)

JUDGMENT

1 The claims for sex discrimination are all out of time and it would not be just and equitable to extend time. The claims under the Equality Act 2010 are dismissed.

2 The claim for breach of contract/unlawful deductions from wages with regard to 4 days' unpaid pay are in time as it was not reasonably practicable to file such claims in time and each such claim was submitted within a reasonable period thereafter. These claims may proceed.

3 The claim for breach of contract with regard to notice is pay is dismissed as notice pay was paid in full.

ORDER

1 The Respondent's response to the claim for 4 days' unpaid pay with regard to unpaid pay between 10 and 14 June 2021 has little reasonable prospect of success. A separate deposit order is made against the respondent in that respect (see separate deposit order).

2 No further directions are made at this stage. The case will be listed for a 2 hour full hearing to be held by CVP after the date that the respondent is ordered to pay the deposit with regard to the only remaining claim for 4 days' allegedly unpaid pay in the sum of £1230.76. If the deposit is not paid the response will be struck out immediately. The date for listing will be 6 September 2022 for 2 hours at 10am by CVP.

3 In the event that all sums due are paid and/or the parties resolve this matter the tribunal should be promptly informed and the hearing may be vacated.

Employment Judge Daniels

24 April 2022

Sent to the parties on:

28 April 2022

For the Tribunal: