



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss Yasmin Braithwaite

**Respondents:** Ministry of Defence

## Record of an Open Preliminary Hearing heard at the Employment Tribunal

**Heard at:** Nottingham                      **On:** 22 April 2022

**Before:** Employment Judge P Britton (sitting alone)

### Representation

**Claimant:** In person, assisted by her mother, Mrs Angela Braithwaite

**Respondent:** Miss Laura Jackson, Solicitor

## JUDGMENT

1. The claim based upon disability discrimination pursuant to the provisions of the Equality Act 2010 is dismissed upon withdrawal.
2. The claim based upon non-payment of outstanding holiday pay is dismissed upon withdrawal.
3. Determination of whether or not the claim based upon unfair dismissal can be proceeded with and on the basis that the current claim would require 2 years qualifying service which the Claimant has not got, is deferred to the next Case Management Hearing which I am listing by which time the Claimant will have made an application to amend together with further and better particularisation on the premise that she wishes to bring the unfair dismissal claim based upon the whistleblowing provisions commencing at section 43B and the s103A of the Employment Rights Act 1996 and

in respect of which 2 years qualifying service would not be needed.

4. The claim based upon breach of contract/failure to pay outstanding wages is deferred for further discussion following further and better particularisation.

5. In respect therefore of the remaining claims there is hereby listed a further hearing currently by way of Case Management before this Judge by way of currently telephone and to take place on **Monday 11 July 2022 commencing at 10.00am with a 3 hour time estimate.**

To take part you should telephone **0333 300 1440** on time and, when prompted, enter the access code **512292#**.

[Please note that if you intend to dial into the telephone hearing from a mobile phone, higher rates apply, and you may wish to check the call rate with your service provider first].

6. Further directions in relation to this matter are contained within the record of today's Case Management Hearing published under separate cover.

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Employment Judge P Britton

Date: 4 May 2022

JUDGMENT SENT TO THE PARTIES ON

10 May 2022

FOR THE TRIBUNAL OFFICE

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