



# EMPLOYMENT TRIBUNALS

## at a Preliminary Hearing

**Claimant:** Mr M Majoch

**Respondent:** Biffa Municipal Limited

**Heard at:** Midlands (East) Region by Cloud Video Platform

**On:** Monday 23 May 2022

**Before:** Employment Judge Blackwell (sitting alone)

### Representation

**Claimant:** Ms M Dominik-Kryg, Lay Representative

**Respondent:** Mr A Ross of Counsel

## JUDGMENT

1. The Claimant's application to amend his Claim of 25 April 2021 is refused in its entirety.
2. Therefore, the only claim of disability to proceed is that set out in Employment Judge Phillips' paragraph 7 of his Summary sent to the parties on 21 April 2022, namely:

### **“Reasonable Adjustments (Equality Act 2010 sections 20 & 21)**

- a. Did the respondent know or could it reasonably have been expected to know that the claimant had the disability? From what date?
- b. A “PCP” is a provision, criterion or practice. Did the respondent have the following PCPs:
  - i. Not offering reduced working hours to employees with medical conditions;
  - ii. Not offering reduced workloads to employees with medical conditions.
- c. Did the PCPs put the claimant at a substantial disadvantage compared to someone without the claimant's disability?

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- d. Did the respondent know or could it reasonably have been expected to know that the claimant was likely to be placed at the disadvantage?
- e. What steps could have been taken to avoid the disadvantage?
- f. Did the respondent fail to take those steps?"

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Employment Judge Blackwell  
Date: 23 May 2022

**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.

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