



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Silvester Bugar

**Respondents:** Del Monte (UK) Limited

**Heard:** Watford Hearing Centre (by cloud video platform)

**On:** 17 June 2022

**Before:** Employment Judge Tobin

**Appearances**  
**For the claimant:** Mr S Morris (representative)  
**For the Respondent** Mr M White (counsel)

## JUDGMENT FOLLOWING PRELIMINARY HEARING (OPEN)

*This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by a video hearing through HMCTS Cloud Video Platform. A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.*

Upon hearing evidence from the claimant, and upon hearing submissions from both parties, the Judgment of the Employment Tribunal is that:

1. At the relevant times, i.e. in January and February 2021, the claimant was not a disabled person under section 6 and schedule 1 of the Equality Act 2010. Consequently, the claimant's claims of a failure to make reasonable adjustments, in breach of s21 Equality Act 2010, cannot succeed.
2. In addition, the claimant's claim has been presented outside of the time limit contained in s123 Equality Act 2010. Having considered the circumstances, it is not just and equitable to extend time for bringing these complaints.
3. The Employment Tribunal does not have jurisdiction to hear any of the complaints brought by the claimant on 21 June 2021 and accordingly proceedings are now dismissed.

17 June 2022

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Employment Judge Tobin

JUDGMENT SENT TO THE PARTIES ON

30 June 2022

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FOR THE TRIBUNAL OFFICE

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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