



## EMPLOYMENT TRIBUNALS

**Claimant** Mr I Sodola  
**Represented by** in person

**Respondents** London Ambulance Service NHS Trust  
**Represented by** Ms S Crawshay-Williams (counsel)

**Before:** Employment Judge Cheetham QC

**8 June 2022 at London South  
Employment Tribunal by Cloud Video Platform**

### JUDGMENT

1. The Claimant's application to amend the claim by adding an allegation of race discrimination in respect of a request for time-off to attend a funeral made on 19 December 2017 is not allowed.
2. As to the Respondent's application to strike out the claim on the ground that it was brought out of time:
  - (i) the allegation of race discrimination in respect of the application for the Team Manager post, which includes an alleged failure to provide written feedback, was brought in time and will proceed to the final hearing.
  - (ii) All earlier allegations of discrimination amount to background evidence only, as confirmed at the Preliminary Hearing held on 6 July 2021 and recorded in the Order made by EJ McLaren (at para. 40).
  - (iii) The complaint of unauthorised deductions of wages between 9 March and 25 May 2020 is struck out, as the claim was brought out of time.

- (iv) The complaint of unauthorised deduction of wages in respect of the split shifts was brought in time and is allowed to proceed to the final hearing. However, the Claimant is asked to provide particulars explaining upon what basis these sums are claimed, in respect of which dates and in what amounts **within 28 days** of this Judgment being sent to the parties.
3. The Respondent is to send the revised List of Issues to the Claimant for his agreement by **17 June 2022**. The Claimant should confirm his agreement or indicate where he disagrees with the proposed List by **1 July 2022**. The Tribunal has not provided any further dates, because the parties are strongly encouraged to agree what should be a straightforward document.
4. The direction provided at the previous Preliminary Hearing are varied as follows:
  - (i) File of documents: (para. 13) the parties must agree the documents for use at the hearing by **31 August 2022** and (para. 14) the Respondent must prepare and serve the file on the Claimant by **14 September 2022**.
  - (ii) Witness statements: (para. 21) statements must be exchanged by **26 October 2022**.

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Employment Judge S Cheetham QC  
Dated 18 June 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*