



EMPLOYMENT TRIBUNALS

Claimant: Mr Robert Watson

Respondent: Tesco Stores Limited

RECORD of an OPEN PRELIMINARY HEARING

Heard at: Norwich

On: 24 June 2022

Before: Employment Judge Postle (sitting alone)

Appearances

For the Claimant: In person

For the Respondent: Mr Mathur, Counsel

JUDGMENT on PRELIMINARY ISSUE

Disability

- (1) The Claimant was not a disabled person by reason of stress, anxiety and depression at the material times, namely 17 March 2019 to 7 October 2019, within the meaning of Section 6 of the Equality Act 2010.
- (2) It was therefore determined the only outstanding claims the Claimant has are a claim for ordinary unfair dismissal under the Employment Rights Act 1996 and claims for unpaid wages and notice pay.
- (3) In relation to listing for a Full Merits Hearing, Counsel for the Respondents indicated that he is not in possession of dates to avoid from his instructing Solicitors, particularly for their witness. It was therefore agreed the Respondents would provide to the Tribunal at Watford, **within 14 days**, dates to avoid.

The Issues

- (4) In relation to the ordinary unfair dismissal claim, the issues were identified at a previous Case Management Hearing before Employment Judge M Warren on 1 March 2021.

Employment Judge Postle

Date: 22 August 2022

Sent to the parties on:

18 September 2022

For the Tribunal:

GDJ