



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr F Martey

**Respondent:** Peninsula Heights Management Company Ltd

**Heard at:** Croydon (preliminary hearing in public via CVP)

**On:** 11 October 2022

**Before:** Judge Brian Doyle (sitting alone)

**Representation:**

Claimant: Ms E Godwins, Solicitor

Respondent: Ms B Omotosho, Solicitor

## JUDGMENT

1. The claimant was a disabled person by reason of a physical impairment of Type 2 Diabetes Mellitus no earlier than 20 February 2022 and continuing up to and including the date of termination of employment.
2. For this purpose, the substantial and long-term adverse effects of the impairment were in respect of the normal day-to-day activities of urination and, from 18 May 2022, vision.
3. The Tribunal is unable to find on the balance of probabilities a substantial and long-term adverse effect of the impairment in respect of the normal day-to-day activity of being voluntarily or involuntarily awake or asleep.
4. The claimant's application under rule 62 for written reasons is granted. Written reasons will be provided as soon as possible.
5. The claim now proceeds to Final Hearing in accordance with earlier case management orders and listing.

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Judge Brian Doyle

DATE: 11 October 2022