



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondents

Miss C Smith

Smart Group Services Ltd (1)

Susan Little (2)

Pulleyn Cleaning Services Ltd (3)

Held at: Exeter by Video

On: 12 October 2022

Before: Employment Judge Smail

Appearances

Claimant: In Person assisted by Ms Biden (friend)

Respondent: Mr J. Ratledge (Counsel)

PRELIMINARY HEARING JUDGMENT

1. The Claimant was employed by the First Respondent (the primary position), alternatively the Third Respondent (the secondary position), between 17 January 2019 and 8 December 2021 when she resigned claiming a constructive dismissal.
2. Accordingly, both the First and Third Respondents remain respondents to the claims brought by the Claimant.
3. There are relevant early conciliation certificates (one per Respondent) covering all the claims desired to be brought and all claims are accepted against each Respondent. Any earlier non-acceptance is set aside by consent.
4. The claims against the Second Respondent in terms of her individual liability are withdrawn. She is no longer a Respondent to the proceedings. Allegations are still made in respect of her for which vicarious liability against the First, alternatively the Third Respondent is claimed.
5. The Claimant was not a disabled person within the meaning of the Equality Act 2010 at any material time to the proceedings.

6. Accordingly, the claim of disability discrimination is dismissed.
7. The case management of the remaining claims is contained in a separate document of today's date.

Employment Judge Smail
Date: 12 October 2022

Judgment sent to the parties on
27 October 2022 by Miss J Hopes

FOR THE TRIBUNAL OFFICE