



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms Jaqueline Hegarty

v

Norton Industrial Fasteners Limited

Heard at: Cambridge
On: 23, 24 January 2023, in person;
25 January 2023, by Cloud Video Platform

Before: Employment Judge Tynan

Members: Mrs A Carver and Ms K Omer

Appearances

For the Claimants: Ms Judy Hegarty, Claimant's sister

For the Respondent: Mr K Smith and Mr S Norton, Directors

JUDGMENT

1. The Claimant was unfairly dismissed by the Respondent.
2. The Claimant's complaints that she was directly discriminated against because of the protected characteristic of disability and/or because of something arising in consequence of disability, are not well founded and are dismissed.
3. The Claimant's complaint that she was harassed by reason of conduct related to sex, succeeds insofar as the late Mr Gary Norton of the Respondent, said to her on 1 May 2020 words to the effect that,

"because you are a woman, you can get away with everything, you don't even go into the shop and serve".

Accordingly, it is not necessary for the Tribunal to determine the Claimant's separate complaint pursuant to s.13 of the Equality Act 2010, in respect of the same matter.

4. The Claimant's complaints that she was harassed by reason of conduct related to sex, alternatively directly discriminated against, by being dismissed, are not well founded and are dismissed.

5. The Claimant's complaint that she is owed holiday is not well founded and is dismissed.
6. The Respondent unreasonably failed to provide the Claimant with a written statement of the reasons for her dismissal under s.92 of the Employment Rights Act 1996.

30 January 2023

Employment Judge Tynan

Sent to the parties on: 3/3/2023

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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.