



EMPLOYMENT TRIBUNALS

Claimant: Mr T Afolabi-Brown

Respondent: Evolve Facility Services Limited (A subsidiary of The Riverside Group)

Heard at: Liverpool **On:** 27 and 28 February 2023

Before: Employment Judge Liz Ord
Tribunal Member Graham Pennie
Tribunal Member John Murdie

Representation:

Claimant: Mr Nicholas Bidnell-Edwards (Counsel)
Respondent: Mr William Chapman (Counsel)

JUDGMENT

The unanimous decision of the panel is:

1. Upon withdrawal of the indirect discrimination complaint, it is dismissed.
2. The respondent's application to strike out part of
 - a. the victimisation complaint (issues 3.1.2, 3.2 and 3.3.3);
 - b. the direct race discrimination complaint (issues 4.2.2, 4.2.4 and 4.4);
 - c. the constructive dismissal complaint (issues 5.2.2 and 5.2.3);is refused.
3. The respondent's application to strike out the witness statements of Clive Rodney, Doris Yaa Tweneboah, Parmjit Cheema, and Paul Trueman, is refused.
4. The claimant's application to amend issue 4.2.2 by adding the words "the claimant suggests he should have been supported to become a regional manager in September 2020" is granted.

Employment Judge Liz Ord

Date 6 March 2023

JUDGMENT SENT TO THE PARTIES ON

Date 23 March 2023

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FOR THE TRIBUNAL OFFICE

Notes

1. 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. If written reasons are provided, they will be displayed on the tribunal's online register of judgments, which is visible to internet searches.