



EMPLOYMENT TRIBUNALS

Claimant: Miss S Shala
Respondent: Aldi StoresLtd.
Heard at: East London Hearing Centre
On: 26 April 2023
Before: Employment Judge B Beyzade

Representation

For the Claimant: In person
(Mr J Tyfeku, Albanian language interpreter
and Miss S Muja, claimant's daughter, observer)
For the Respondent: Mr J Hughes, Solicitor

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the tribunal is that:

- 1.1. the claimant's complaint of discrimination because of her religion or belief is struck out pursuant to Rule 37(1)(a) of Schedule 1 of the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013* on the ground that it has no reasonable prospect of success.
- 1.2. The respondent's application intimated to the Tribunal on 18 April 2023 to strike out the claimant's claims because of the claimant's non-compliance with the Employment Tribunal's Orders pursuant to Rule 37(1)(c) and on the ground that some of the claimant's discrimination claims have no reasonable prospect of success (on the basis that there are jurisdictional issues in terms of the claimant's ability to advance those claims) made pursuant to Rule 37 (1)(a) of Schedule 1 of the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013* is not granted. Any jurisdictional issues

in relation to the claimant's discrimination claims shall be investigated and determined at the Final Hearing.

- 1.3. The claimant's application for permission to amend her claims to include the claims set out in her amended Particulars of Claim of 09 June 2022 is refused, save that permission is given for the claimant to amend her claim to include a claim of direct race discrimination in respect of the claimant's contention that the claimant was suspended because of her race.
- 1.4. The claimant's application to amend her claim to include the acts referred to at act 2 and act 4 of her Further Particulars of Claim of 14 March 2023 is refused.
- 1.5. The Tribunal also made a number of Case Management Orders in relation to the Final Hearing, which have been provided to parties under separate cover.

Employment Judge B Beyzade

11 May 2023

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.

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