



EMPLOYMENT TRIBUNALS

Claimant: Mr M Merry

Respondent: Co-Operative Group Limited

Heard at: Midlands West

On: 1 September 2023

Before: Employment Judge Faulkner (sitting alone)

Representation: **Claimant** - Mr S Merry (lay representative)
Respondent - Mr G Graham (Counsel)

PUBLIC PRELIMINARY HEARING - JUDGMENT

1. The Claimant was not at the relevant times (agreed to be February 2021 to March 2022) a disabled person within the meaning of the Equality Act 2010 by reason of a learning impairment.

2. The Claimant having confirmed that this was the impairment on which he relied for the purposes of his complaints of discrimination arising from disability and failure to make reasonable adjustments, those complaints are dismissed.

3. The Claimant's complaint of unfair dismissal is unaffected by this Judgment and will be considered at the Final Hearing of this matter accordingly.

4. Case Management Orders will be sent to the parties separately.

Employment Judge Faulkner
Date: 1 September 2023

