



THE EMPLOYMENT TRIBUNAL

Claimant: Mr N Mena
Respondent: Ballymore Asset Management Limited
Heard at: London South Employment Tribunal (by CVP)
On: 12 September 2023
Before: Employment Judge A. Beale
Representation
Claimant: In Person
Respondent: Mr T Fuller (Legal Executive)

JUDGMENT ON AMENDMENT APPLICATION

1. **The Claimant's applications to amend:**

- (a) to include type 2 diabetes as a disability in respect of the complaints set out at paragraphs 4.1.1 - 4.1.9 of the List of Issues annexed to the Case Management Order dated 12 September 2023; and**
- (b) to include complaints of discrimination because of something arising in consequence of disability (section 15 Equality Act 2010) and failure to make reasonable adjustments in respect of the Respondent's alleged inclusion of his disability-related absences when applying the redundancy selection matrix,**

are allowed.

2. **The Claimant's applications to amend:**

- (a) to include complaints of direct disability discrimination, section 15 EqA 2010 discrimination and failure to make reasonable adjustments in respect of the decision to allocate the Claimant to night shifts; and**
- (b) to include a complaint of direct age discrimination,**

are rejected.

3. **The claims as amended are set out in the List of Issues annexed to the**

Case Management Order dated 12 September 2023.

Employment Judge A. Beale
Date: **12 September 2023**

Judgment sent to the parties and entered in the Register on: **25 September 2023**

_____ 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.