



EMPLOYMENT TRIBUNALS

Claimant: Mr D Hughes
Respondent: EnerSys Limited
Heard at: Cardiff by video
On: 18 and 19 October 2023
Before: Employment Judge R Harfield

Representation

Claimant: Mr Pollit (Counsel)
Respondent: Mr Dando (Solicitor)

PRELIMINARY HEARING IN PUBLIC JUDGMENT

1. The application to strike out parts of the claim is refused.
2. From June 2016 onwards the claimant was a disabled person as defined by section 6 Equality Act 2010 because of his leg condition;
3. Between September 2015 to the completion of the claimant's studies in July or August 2021 he was a disabled person as defined by section 6 Equality Act 2010 by reason of ADD (when considered as a free standing impairment). However, in any event from September 2015 onwards the claimant had an impairment of ADD which formed part of the claimant's overall cumulative mental health disability (the respondent having accepted the claimant was disabled by reason of anxiety and depression and that these impairments (if established) were likely to overlap).

Employment Judge R Harfield

Date 19 October 2023

JUDGMENT SENT TO THE PARTIES ON 23 October 2023

FOR THE TRIBUNAL OFFICE Mr N Roche

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.