



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4106304/2023

Preliminary Hearing held by video in Glasgow on 12 March 2024

Employment Judge M Whitcombe

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Mr Scott Prior

Claimant
In person

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Network Rail Infrastructure Limited

Respondent
Represented by:
Mr A Hardman
(Advocate)

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JUDGMENT ON PRELIMINARY ISSUES

25 The judgment of the Tribunal is as follows.

- (1) By consent, the complaint of unfair dismissal is withdrawn and dismissed because the claimant lacks sufficient qualifying service to bring it.
- 30 (2) The claimant was a disabled person for the purposes of section 6 of the Equality Act 2010 in February or March 2023, but not any later than that. His claims under the Equality Act 2010 will therefore be based on that past disability.
- 35 (3) Oral reasons for this judgment were given in the presence of the parties at the end of the hearing. Neither side requested written reasons.

M Whitcombe

Employment Judge M Whitcombe

Date of Judgment 12 March 2024

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**Entered in register
and copied to parties**

14 March 2024

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