



## EMPLOYMENT TRIBUNALS

**Claimant**

Miss C Delgado Sanchez

v

**Respondent**

ERG International UK Ltd

## PRELIMINARY HEARING

Heard at: London Central (in person)

On: 2 February 2024

Before: Employment Judge Baty

**Appearances**

**For the Claimant:**

In person

**For the Respondent:**

Ms L Harris (counsel)

## JUDGMENT

1. The claimant was not a disabled person at any point during the relevant period of May 2022 – 12 August 2022. The tribunal does not therefore have jurisdiction to hear her claim and the claim is dismissed.

2. Had the claim not been dismissed for the reason in the paragraph above, I would have struck out the claim in its entirety because of the unreasonable conduct of the proceedings by the claimant; for non-compliance by the claimant with the orders of the tribunal; and because the claim has not been actively pursued by the claimant.

3. An award of costs of £10,000 is made, payable by the claimant to the respondent. Of that award:

3.1. The sum of £4,000 is payable immediately; and

3.2. The sum of £6,000 is payable no later than 31 July 2024.

4. The full merits hearing listed for 20-24 May 2024 is vacated and will not take place.

**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](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

---

Employment Judge Baty

Date 2 February 2024

JUDGMENT SENT TO THE PARTIES ON

.02/02/2024

.....  
FOR THE TRIBUNAL OFFICE