



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs Gemma Holden

**Respondent:** Lidl Great Britain Limited

**HELD AT:** Liverpool

**ON:** 5, 6 & 7 June 2024

**BEFORE:** Employment Judge Johnson

**MEMBERS:** Ms L Heath

Mr J Murdie

## REPRESENTATION:

**Claimant:** Mr Brennan (Equalities Officer – Sefton CVS)

**Respondent:** Mr T Wood (counsel)

# JUDGMENT

The judgment of the Tribunal is that:

- (1) The complaint of unfair dismissal is not well founded which means that the claimant was fairly dismissed by reason of capability.
- (2) The complaint of direct disability discrimination (contrary to section 13 Equality Act 2010) is not well founded which means it is unsuccessful.
- (3) The complaint of a failure by the respondent to comply with its duty to make reasonable adjustments (contrary to sections 20 & 21 Equality Act 2010) is not well founded which means it is unsuccessful.

Employment Judge Johnson

Date: 7 June 2024

JUDGMENT SENT TO THE PARTIES ON  
Date: 21 June 2024

FOR THE TRIBUNAL OFFICE

**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.

**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>