



EMPLOYMENT TRIBUNALS

Claimant: Miss L Walker

Respondent: Booker Ltd

Heard at: Midlands West

On: 10, 11, 12, 13 and 14 February 2025

Before: Employment Judge Faulkner
Mrs D Hill
Mr P Kennedy

Representation: **Claimant** - in person
Respondent - Mr H Zovidavi (Counsel)

JUDGMENT

1. The Respondent did not contravene section 39 of the Equality Act 2010 by discriminating against the Claimant because of disability in relation to the following:

1.1. By Mr H Sheikh or otherwise, excluding the Claimant from social activities up to and including September 2022.

1.2. By Miss J Newby, belittling the Claimant by stating to her on various occasions between March 2022 and May 2023, “we’re all in the same boat”, whenever the Claimant asked for help

1.3. By refusing to let the Claimant text in when reporting that she was going to be late for or absent from work from January 2023 to early March 2023.

1.4. By issuing the Claimant with a final written warning on 24 March 2023.

2. The Respondent did not contravene section 39 of the Equality Act 2010 by victimising the Claimant in relation to the following:

2.1. Failing to pay her sick pay correctly in or around April and May 2023.

2.2. Recording incorrect information on form SSP1 in or around April and May 2023.

2.3. Calling the police on 12 May 2023.

3. The Respondent did not contravene section 39 of the Equality Act 2010 by indirectly discriminating against the Claimant in the application of a provision, criterion or practice that employees were required to telephone the Respondent if they were going to be late or could not attend work ("the PCP").

4. The Respondent did not contravene section 39 of the Equality Act 2010 by failing to make reasonable adjustments in relation to the PCP.

5. The Respondent did not contravene section 39 of the Equality Act 2010 by discriminating against the Claimant because of something arising in consequence of the Claimant's disability by:

5.1. Refusing to allow her to text in rather than telephone between January and early March 2023 when reporting that she was going to be late for or absent from work.

5.2. Issuing the Claimant with a final written warning on 24 March 2023.

6. The Claimant's complaint of unauthorised deductions from wages, in connection with a bonus paid to her in May 2023, is not well-founded.

7. All of the Claimant's complaints are dismissed.

Employment Judge Faulkner
Approved on: 14 February 2025

Note: This was in part a remote hearing, in that the Claimant attended remotely throughout and the lay members of the Tribunal attended remotely on 14 February 2025. There was no objection to the case being heard in part remotely. The form of remote hearing was V - video.

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.

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