



EMPLOYMENT TRIBUNALS

Claimant: XY

Respondent: Apple Retail Ltd

RECORD OF A PRELIMINARY HEARING

Heard at: London Central Employment Tribunal **On:** 4-5th March 2025
By Cloud Video Platform

Before: Employment Judge Gidney

Appearances

For the Claimant: XY (In person)

For the Respondent: Bayo Randle (Counsel)

JUDGMENT

The Judgment of the Tribunal is that:

1. The Claimant's application to amend his Particulars of Claim dated 27th November 2023 with the amended Particulars of Claim dated 21st February 2025 is refused.
2. The Respondent's application to strike out the Claimant's claims on the grounds that they have no reasonable prospect of success is upheld in respect of the following claims:

- 2.1. Unfair dismissal (s98(4) **ERA**);
 - 2.2. Notice Pay (breach of contract);
 - 2.3. Harassment related to sex regarding the conduct of individuals known as CD and EF.
3. For the avoidance of doubt the only claims that shall proceed to trial are:
- 3.1. Direct sex discrimination regarding complaint that the Respondent prefers the evidence of women in harassment investigations;
 - 3.2. Direct discrimination on the grounds of religion or belief regarding complaint that the Respondent prefers the evidence of Muslims in harassment investigations.

Employment Judge Gidney

4th March 2025

JUDGMENT SENT TO THE PARTIES ON

11 March 2025

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FOR THE TRIBUNAL OFFICE