



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms O Olawepo  
**Respondent:** D&D London Limited

**Heard at:** London Central (by cvp)

**On:** 10 February 2025

**Before:** Employment Judge Emery

**Appearances**

For the claimant: Mr Rolls (Mackenzie friend)

For the respondent: Ms Montaz (consultant)

## PRELIMINARY HEARING IN PUBLIC JUDGMENT

The judgment of the Tribunal is as follows:

### Strike out of part of claim

1. The following complaints are struck out under Employment Tribunal Rule 38(1)(a) because they have no reasonable prospect of success.
2. The references below use the numbers in the Further Information pages 56-68 hearing bundle.

#### Direct age discrimination

- 2: C's manager denying her full holiday request on grounds of business needs.
- 4: DL remarked as C was leaving the restaurant at the end of her shift "... she's very quick..."
- 5: C being given an excessive workload as there was only one cleaner.

#### Direct sex discrimination

- 2: (a) Management allowed a male toilet attendant to pass work onto C at the end of his shift/start of her shift, and (b) C was intimidated after she brought uncompleted work to management's attention, and (c) management prioritised Stephen's holiday requests.
- 3: unidentified staff (a) isolated, gossiped and commented about C, including (b) about the pay disparity with Stephen
- 4: unidentified people (possibly guests) commented about C, including comments such as "she's being abused and nobody cares"
- 5: after C complied about being given Stephens uncompleted tasks, a manager said "she won't be saying anything again, she will just be doing it" and smiled.

#### Harassment related to age

- 1: Comments made by unidentified people including "she can't cope. By the time she gets back the toilet is dirty is gain"; "they're so guilty they even have to resort to sabotage" (when C was removing pants with faeces on)"
- 2: Unidentified people watching/spying on her, including being told people were being given free drinks to check on her; being watched and then hearing comments such as: "I don't want her recognising me" and "she's supposed to check every 30 minutes".
- 4: Management encouraged regular guests to gossip and comment on how she was doing her role, comments overheard including :she goes from toilet to toilet cleaning"; "it's just a scam, there's too many people, she doesn't get any rest"; "it's a scam how can you use one cleaner for so many people"; "she's being exploited, they're treating her like a slave"; and others (page 62).
- 5: Unidentified staff saying comments such as "she got deceived"; "she's taking too much shit for the minimum wage", and the other comments at (5).

#### Harassment related to sex

- 1: multiple comments from staff including how C was being deceived and exploited; Stephen was receiving more money; her low level of tronc.

#### Other payments

2D: Unpaid wages resulting from additional weekend guest demands.

**Claims which are not struck out**

3. The following claims are not struck out and will proceed to a tribunal hearing:

Direct age discrimination

- 1: isolating C by failing to invite her to 31 December Countdown party
- 3: Management failed to accommodate C’s request for a transfer to a reception or other role and hired a 25-year-old receptionist called Angelica on/around 22 May 2023

Direct sex discrimination

- 1: Management allowed a disparity in pay between C and a male toilet attendant, Stephen.

Harassment related to age

- 3: C not being invited to Countdown party in 2023; including comments like “It’s Carlos, he said we shouldn’t call her.”

Victimisation

- 1 & 2: All allegations of harassment will proceed to the hearing.

Other payments

- 1 & 2 All allegations apart from 2D will proceed to a hearing.

**Approved by:  
Employment Judge Emery  
17 March 2025**

Judgment sent to the parties on:

26 March 2025

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For the Tribunal:

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