



EMPLOYMENT TRIBUNALS

Claimant: Mrs N Jaafri

Respondent: Marks & Spencer PLC

HELD AT: Mold **on:** 7th November 2024

BEFORE: Employment Judge T. Vincent Ryan
Ms C Peel
Mr B Roberts

REPRESENTATION:

Claimant: A Litigant in Person
Interpreter (Arabic/English): Mr A Shaltout

Respondent: Mr D Evans, Counsel

JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The Claimant's claim of breach of contract (notice), or alternatively of an Unauthorised Deduction from Wages, is dismissed upon withdrawal, the Respondent having honoured the Claimant's entitlement to net notice pay.
2. The following claims fail and are dismissed:
 - 2.1. Unfair Dismissal, the Claimant having been fairly dismissed by letter dated 19 August 2022 for a reason related to incapability by reference to her health.
 - 2.2. Direct Race Discrimination.
 - 2.3. Disability Discrimination (the claims of a failure to make reasonable adjustments, to provide an auxiliary aid, and a claim of discrimination arising from disability).
 - 2.4. Victimisation, albeit the Claimant did a protected act when she raised a written grievance on 26 October 2021.

Employment Judge T.V. Ryan
Date: 07.11.24

JUDGMENT SENT TO THE PARTIES ON

11 November 2024

Katie Dickson

FOR THE TRIBUNAL OFFICE

Note

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.