



EMPLOYMENT TRIBUNALS

Claimant: Mrs M Lemon

Respondent: Parkdean Resorts UK Ltd

Heard at: Cardiff **On:** 21st September 2018

Before: Employment Judge R F Powell

Representation:

Claimant: Mr Graham, Counsel

Respondent: Mr Garrett, Counsel

JUDGMENT

By consent:

- 1. The claim of unfair dismissal is dismissed upon withdrawal.**
- 2. The claim of harassment on the grounds of marital status is dismissed upon withdrawal.**

REASONS

1. The claimant accepted that she lacked the requisite period of continuous service in respect of her claim of unfair dismissal under sections 94 to 98 of the Employment Rights Act 1996. She therefore withdrew her claim under that act but continues her claims in relation to her dismissal under the Equality Act 2010.

2. The claimant, whilst still relying on the factual matrix which she pleaded as harassment on the grounds of her marital status, accepts that section 26 of the equality Act 2010 does not offer redress for this protected characteristic. The claimant makes an application to amend her claim of harassment to rely on same facts and the protected characteristic of her Chilean nationality/ ethnic origin. In this context she withdrew the allegation of harassment in respect of marital status and consented to its dismissal.

Employment Judge Powell
Dated: 26th September 2018

ORDER SENT TO THE PARTIES ON

.....28 September 2018.....

.....
FOR THE SECRETARY TO EMPLOYMENT TRIBUNALS