



## EMPLOYMENT TRIBUNALS

### Claimant

Mr E Chapman

### Respondents

1. Kirbys LLP
2. Mr M Hutchinson
3. Mr R Dooley
4. Ms A Gray
5. Ms A Lee

## PRELIMINARY HEARING IN PUBLIC

Heard at: Leeds

On: 16 April 2018

Before: Employment Judge Davies

### Appearances

For the Claimant:

Mr Port (solicitor)

For the Respondents:

Mr Paget (solicitor)

## JUDGMENT

1. The claims against the Second to Fifth Respondents are dismissed in their entirety on withdrawal by the Claimant.
2. The complaint of victimisation is dismissed on withdrawal by the Claimant.
3. The complaint of harassment related to sex was not brought within the relevant time limit under s 123 Equality Act 2010 and it is not just and equitable to extend time for bringing it. The Tribunal has no jurisdiction to hear that complaint and it is struck out for that reason.
4. The complaint of failure to comply with section 80G Employment Rights Act 1996 (dealing with an application for flexible working in a reasonable manner) was not brought within the relevant time limit under s 80H(5) Employment Rights Act 1996. It was reasonably practicable to do so. The Tribunal has no jurisdiction to hear that complaint and it is struck out for that reason.
5. The complaint of automatically unfair dismissal for asserting a statutory right in respect of the right to annual leave has no reasonable prospect of success and is struck out for that reason.
6. The complaints of being subjected to a detriment done on the ground that the Claimant made a flexible working request set out at paragraphs 2.9.1-2.9.7,

2.9.11-2.9.14 and 2.9.16-2.9.18 have no reasonable prospect of success and are struck out for that reason.

**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 or a written request is presented by either party within 14 days of the sending of this written record of the decision.

**Public access to Employment Tribunal judgments**

Judgments and written reasons for judgments, where they are provided, are published in full online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the parties in the case.

**Employment Judge Davies**

**Date: 16 April 2018**