



EMPLOYMENT TRIBUNALS

Claimant: Mrs C Goulding

Respondent: Heritage English Blind Company Limited

Heard at: Birmingham Employment Tribunal via CVP
On: 9 March 2022

Before: Employment Judge Noons

Representation

Claimant: Mr Hickman – Lay representative

Respondent: Mr Thakerar - Counsel

JUDGMENT

It is the Judgment of the Employment Tribunal that:

1. The claimant's application to amend her claim to include a complaint of harassment is refused.
2. The claimant's application to amend her claim to include a claim for breach of contract for failing to allow her to be accompanied at her disciplinary hearing is refused.
3. The respondent's application to strike out the claimant's claims under section 13 and 15 of the Equality Act 2010 is refused.
4. The respondent's application to strike out the claimant's claims under section 20 and 21 of the Equality Act 2010 for failure to make reasonable adjustments succeeds and these claims are struck out as having no reasonable prospect of success.
5. The respondent's application to strike out the claimant's claims of breach of contract is refused.
6. A deposit order shall be issued requiring the following deposits to be paid as a condition of proceeding with the following complaints:

- 6.1 A deposit of £100 in respect of the claim of direct discrimination under section 13 of the Equality Act 2010 relating to the respondent allegedly treating the claimant's sickness absence as an act of misconduct.
- 6.2 A deposit of £100 in respect of the claim of direct discrimination under section 13 of the Equality Act 2010 relating to the respondent allegedly dismissing the claimant because of her absence.
- 6.3 A deposit of £100 in respect of the claim of discrimination arising for disability under section 15 of the Equality Act 2010 relating to the respondent allegedly dismissing the claimant because of her absence.
- 6.4 A deposit of £100 in respect of the claim of breach of contract/wrongful dismissal relating to non-payment of notice pay.
- 7 No deposit order is made in respect of the claimant's claim of breach of contract in relation to the respondent's alleged failure to hear her appeal.

Employment Judge Noons

Date 9 March 2022