



EMPLOYMENT TRIBUNALS

Claimant (1): Ms M Hackett
Claimant (2): Mr C Booth

Respondent: Moorville Developments Limited

HELD in Sheffield ON: 23 January 2023

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimants: Mr R Jones, Counsel
Respondent: Mrs M Peckham, Solicitor

JUDGMENT AT OPEN PRELIMINARY HEARING

The Judgment of the Employment Tribunal is that:

1. At all material times, the first claimant was a disabled person for the purposes of section 6 of the Equality Act 2010.
2. The respondent's application for an Order that the second claimant's claim brought pursuant to the 2010 Act shall be dismissed pursuant to Rules 37(1)(c) and (d) of schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 is refused.
3. UNLESS the second claimant complies with paragraphs 13 and 14 of the Order of the Employment Tribunal dated 20 July 2022 on or before **20 February 2023** then his complaint brought under the 2010 Act shall stand dismissed without further Order. For the avoidance of doubt, this Order does not apply to the claimant's complaint that he was unfairly dismissed brought pursuant to the Employment Rights Act 1996.
4. The directions given by the Employment Tribunal on 20 July 2022 are varied as follows:-

- (1) Paragraph 17 shall now read **3 February 2023** in substitution for **19 December 2022**.
- (2) Paragraph 18 shall now read **10 February 2023** in substitution for **13 January 2023**.
- (3) Paragraph 21 shall now read **17 February 2023** in substitution for **27 January 2023**.
- (4) Paragraph 29 shall now read **10 March 2023** in substitution for **3 March 2023**.

Employment Judge Brain

Date 31 January 2023

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