



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms A Baird

**Respondent:** E H Booth & Co Limited

**Heard at:** Manchester (in private; by CVP)

**On:** 8 February 2024

**Before:** Employment Judge K M Ross (sitting alone)

## Representatives

For the claimant: In person

For the respondent: Mr L Kaye, Counsel

# STRIKE OUT JUDGMENT

1. The claimant's complaint of harassment related to religion (pursuant to section 26 Equality Act 2010), of the following allegations namely

*"The claimant has stated that there were unnecessary visits to store at her limited time of work after requesting to cease contact. The claimant refers to aggravating presence/behaviours over a long period of time. The claimant refers to gaining access to her which was distressing from 2017 onwards on a weekly basis", (allegation numbered 16 (c) in the respondent's list of issues document)*

and allegation 16(d):

*"The claimant alleges that she was harassed by difficult customers including Clare Bell and Andrea Dennison from Easter 2021 to early 2023",*

and allegation 16(e):

*"The claimant alleges she was harassed by an unknown woman in August 2023",*

are struck out because they have no reasonable prospect of success pursuant to rule 37 Employment Tribunal Rules of Procedure 2013.

2. The reason these complaints has no reasonable prospect of success is that the respondent is not responsible under the Equality Act 2010 for acts of third party harassment.

Employment Judge KM Ross

Date: 13 February 2024

JUDGMENT SENT TO THE PARTIES ON

Date: 27 February 2024

FOR THE TRIBUNAL OFFICE

**Notes**

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.

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**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

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