



## EMPLOYMENT TRIBUNALS

**Claimant:** Mr Keith Miles

**Respondent:** First Greater Western Limited

**Heard at:** Watford Employment Tribunal (remote public)    **On:** 10.03.2023

**Before:** Judge L Mensah remotely

### Representation

Claimant: In person

Respondent: Mr P Tomison (Counsel)

Observing: Ms N Beech (Human Resources)

### (Preliminary open hearing) JUDGMENT

The Tribunal orders are;

1. The Claimant was at all material times, disabled by reason of bilateral shoulder impingement (trapped nerve), within the meaning of Section 6 and Schedule 1 of the Equality Act 2010.
2. The Respondent's application to strike out the claims of discrimination on the grounds of no reasonable prospect of success is not made out.

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Employment Judge **Mensah**

Date 10 March 2023

JUDGMENT SENT TO THE PARTIES ON

16 March 2023

FOR THE TRIBUNAL OFFICE

<sup>1</sup> 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 decisions**

Judgments and reasons for the judgments 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 claimant(s) and respondent(s) in a case.