



EMPLOYMENT TRIBUNALS

BETWEEN

AND

Claimant
Miss A Johnson

Respondent
WMSR Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL ON A PRELIMINARY HEARING

HELD AT Birmingham ON 24 May 2024

EMPLOYMENT JUDGE GASKELL

Representation

For the Claimant: In Person
For the Respondent: Mr A Scott (Counsel)

JUDGMENT

1 The claimant has established that from 1 December 2019 until 28 February 2021, by reason of suffering from depression and anxiety, she was a disabled person as defined in the Equality Act 2010.

2 To the extent that the claimant requires permission to rely on her claim as set out in her further particulars of claim dated 28 March 2024, such permission is granted. The claimant's further particulars shall stand as the definitive statement of her case.

3 The respondent's applications for the claimant's case to be struck out as having no reasonable prospect of success or in the alternative for an order that the claimant should pay a deposit are not pursued.

MINUTE OF HEARING

4 At today's hearing, I dealt with the questions of disability and the claimant possibly needing permission to amend her claim. My judgement on these 2 points is set out in Paragraphs 1 and 2 above. The respondent did not pursue the applications for strike out or deposit.

5 The case can now proceed to a final hearing. But before listing directions can be given, a definitive list of issues needs to be agreed. There was insufficient time at today's hearing and so the case has been listed for a further preliminary hearing for case management (by video) on Friday, **7 June 2024** to be heard by Employment Judge Gaskell.

6 By Monday **3 June 2024**, the respondent will prepare an initial draft of its suggested list of issues. This should be sent to the claimant. The claimant is not required to respond to the draft list of issues, but she must consider it carefully and be ready to discuss it with the Judge at the hearing on **7 June 2024**.

7 On **7 June 2024**, the parties should have witness details and availability and clear instructions as to whether or not the case is thought to be suitable for a reference to judicial mediation. The judge will list the final hearing and make Case Management Orders for the proper and orderly preparation for such a hearing.

Employment Judge Gaskell
24 May 2024

Note

Reasons for the judgment at Paragraphs 1 and 2 above 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.