



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Mr T Bradley **AND**

Respondent

(1) Excell Electrical Contractors & Engineers Ltd
(2) Mr S Foster (Director) & (3) Mrs V Foster (Director)

JUDGMENT MADE AT A REMOTE PRELIMINARY HEARING

HELD AT Birmingham

ON 9 August 2021

EMPLOYMENT JUDGE Hughes

Representation

For the Claimant: In Person

For the First Respondent: Mr S Foster (Director & Second Respondent)

For the Second & Third Respondents: Mr N Caiden, Counsel

JUDGMENT

The decision of the Employment Tribunal is that:

- 1 The respondent's application to strike out the claims in respect of the protected characteristic of marital status fails because it cannot be said that they have no reasonable prospect of success.
- 2 The respondent's application for a deposit order in respect of the claims about the protected characteristic of marital status fails because it cannot be said that they have little reasonable prospect of success.
- 3 The claims against the third respondent are dismissed on withdrawal.
- 4 The unfair dismissal claim against the second respondent is dismissed on withdrawal.

5. There will be a one day CVP hearing on 20 October 2021 to consider the claimant's application to amend to add disability discrimination complaints and (if disputed) the question of whether the claimant was a disabled person at the material time and, if so, whether the respondents knew, or ought reasonably to have known of it.

Signed by Employment Judge Hughes on 10 August 2021