



EMPLOYMENT TRIBUNALS

Claimant: Mr M Popham

Respondent: Halcyon Tankers Limited (1)

Avanti Gas Limited (2)

HELD AT: Manchester (in public, by CVP) **ON:** 2 July 2024

BEFORE: Judge Johnson

REPRESENTATION:

Claimant: unrepresented

First respondent: Mrs Laura Wilson (solicitor)

Second respondent: Ms A Niaz-Dickinson (counsel)

JUDGMENT

The judgment of the Tribunal is that:

- (1) The claimant is not disabled within the meaning of section 6 Equality Act 2010.
- (2) Consequently the Tribunal no longer has jurisdiction to hear the complaint of disability discrimination and this complaint is dismissed.
- (3) Consequently, the claim brought against the second respondent is dismissed because the disability discrimination complaint was the sole complaint being brought by the claimant against this party.
- (4) The first respondent's application seeking strike out in accordance with Rule 37 and/or a deposit order in accordance with Rule 39 in respect of the claimant's remaining complaint of unlawful deduction from wages is unsuccessful.

- (5) The remaining complaint of unlawful deduction from wages contrary to section 13 Employment Rights Act 1996 and brought against the first respondent is therefore unaffected by this judgment and will now be determined at the revised final hearing date listed for 3 hours and beginning at 10:00a.m on 12 December 2024.
- (6) The original final hearing date listed for 9, 10 and 11 December 2024 is no longer required and is cancelled.

Employment Judge Johnson

Date 2 July 2024

JUDGMENT SENT TO THE PARTIES ON
12 July 2024

FOR THE TRIBUNAL OFFICE

Note

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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Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

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:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>