AD

Follow us:

Lexis+ AI Others promise, we deliver

Employment Appeal Tribunal clarifies harassment claims and time limits in J Logo v Payone GmbH

7 Jul 2025 | COURT REPORT

Share



Race harassment claims face scrutiny over causation and tribunal procedures

The Employment Appeal Tribunal's recent judgement in **J Logo v Payone GmbH & Ors** has provided important clarification on the interpretation of race harassment claims under Section 26 of the Equality Act 2010, particularly regarding causation requirements and the complexities surrounding time limits for submissions.

Case Background

Mr J Logo, a Black British employee, brought harassment claims against his employer Payone GmbH following several workplace incidents. The case centred on three specific complaints: a blackface incident at a workplace event and two separate comments made during a dinner event, which Mr Logo considered racially offensive.

The Employment Tribunal initially dismissed the majority of Mr Logo's claims, finding one complaint unsubstantiated whilst declaring the others out of time. This decision formed the basis of the subsequent appeal, which challenged both the tribunal's interpretation of harassment provisions and its approach to time limits.

Legal Framework and Tribunal Errors

His Honour Judge James Tayler identified significant shortcomings in the Employment Tribunal's approach to the harassment claims. The tribunal had failed to conduct the necessary thorough evaluation required under Section 26 EQA, particularly regarding the "related to" test and the "effect" of the alleged conduct.

The judgement emphasised that establishing a causal connection between the respondents' conduct and the claimed harassment remained crucial, even where intent might be ambiguous. This requirement applies regardless of whether the alleged perpetrator intended to cause harassment, focusing instead on the objective circumstances and the claimant's subjective experience.

The tribunal's error was deemed to undermine the comprehensive assessment necessary to determine whether the respondents' conduct constituted harassment within the statutory framework. This highlights the importance of detailed factual analysis when evaluating workplace conduct against the legal threshold for harassment.

Procedural Considerations

The case revealed particular challenges regarding time limits for harassment claims. Whilst the tribunal recognised the blackface incident

as significant, it classified the complaint as time-barred. Similarly, the dinner event complaints were deemed to fall outside the required timeframe for submission.

The appeal raised concerns about the tribunal's rigid adherence to time limits without adequate consideration of the claimant's circumstances and the psychological impact of the alleged harassment. This approach potentially disadvantages claimants who may require time to process discriminatory conduct before feeling able to lodge formal complaints.

Impact on Employment Law Practice

The judgement reinforces several key principles for harassment claims. The claimant's perception of allegedly discriminatory conduct carries significant weight in legal proceedings, particularly in cases involving race-related harassment. Courts must carefully balance objective assessment of conduct against the subjective impact on affected individuals.

The case also demonstrates the importance of early legal advice following potential harassment incidents. The strict application of time limits can bar otherwise meritorious claims, making prompt action essential despite the sensitive nature of such matters.

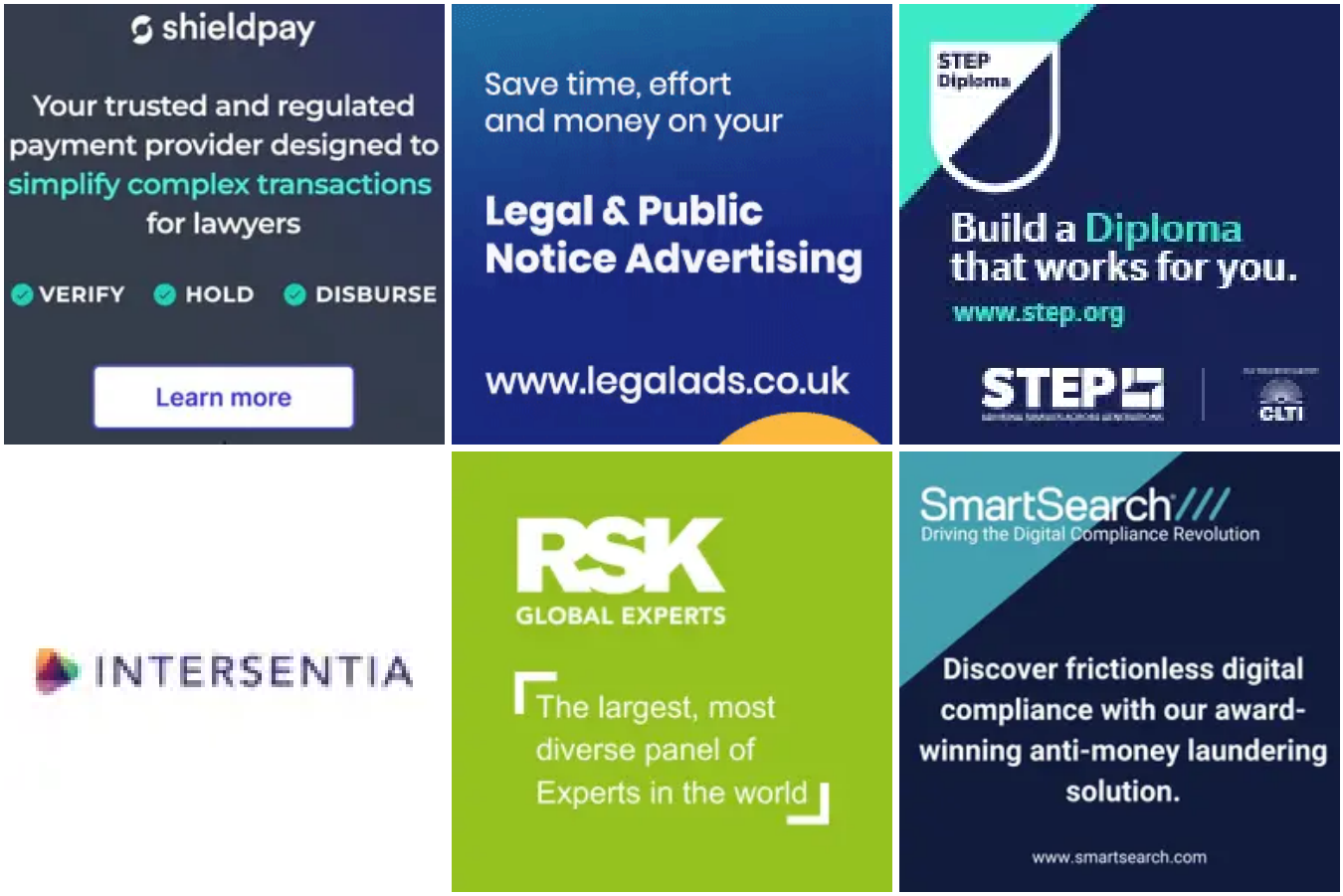
Wider Implications

J Logo v Payone GmbH & Ors illustrates the complex interplay between procedural requirements and substantive rights in employment discrimination law. The judgement suggests that tribunals must adopt a more nuanced approach when considering both the merits of harassment claims and the circumstances surrounding delayed submissions.

The case serves as a reminder of the evolving nature of workplace discrimination law and the continued need for robust legal frameworks that adequately protect employees' dignity whilst maintaining procedural fairness. The judgement's emphasis on proper causation analysis and

contextual assessment of time limits provides valuable guidance for future harassment claims across protected characteristics.

Legal News desk contact: editorial@solicitorsjournal.com



LATEST ARTICLES



Coercive and controlling behaviour: progress or an opportunity missed?

Barbara Reeves and Helen Scambler from Mishcon de Reya reflect on the impact of the offence of coercive and controlling behaviour

FEATURE 9 Jul 2025

Radical reform of the family courts: one form

Rachel Frost-Smith, Legal Director of the family team at Birketts, reflects on the proposal by Baroness Hale



OPINION 9 Jul 2025



CILEX president highlights court system issues

Yanthé Richardson's comments reflect a need for reform amidst concerns over the impact on justice access

NEWS 9 Jul 2025



Landmark review proposes reforms for justice system

Sir Brian Leveson's review unveils sweeping changes designed to tackle the backlog and improve efficiency in the justice system

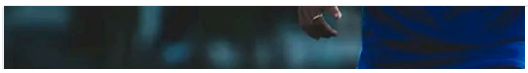
NEWS 9 Jul 2025



House of Lords backs new pet deposit

The House of Lords has passed an amendment to the Renters' Rights Bill for tenants with pets

NEWS 9 Jul 2025



Gilson Gray wins historic FIFA hearing



Gilson Gray has achieved a groundbreaking win for Rene Hiddink, which sets a precedent for technical directors in football

NEWS 9 Jul 2025



Government vows to reform justice system

In light of Sir Brian Leveson's review, the Lord Chancellor pledges bold reforms for swifter justice

NEWS 9 Jul 2025



Leveson review must address court delays

The imminent Leveson review highlights critical systemic issues in the criminal justice system, calling for urgent action

NEWS 8 Jul 2025



Cambridge traffic regulation order challenge dismissed by High Court

High Court rejects judicial review of Cambridge bus gate order amid consultation concerns

COURT REPORT 8 Jul 2025



Court of Appeal upholds agency worker rights in aviation sector employment dispute

Court of Appeal reinforces agency worker protections and equal treatment rights

COURT REPORT 8 Jul 2025



Kevin Cooper v Ludgate House Limited establishes crucial precedent for urban development rights

High Court balances leaseholder light rights against London development interests in landmark property case

COURT REPORT 8 Jul 2025



DfT v Information Commissioner tribunal ruling strengthens FOIA transparency requirements

Key implications for section 27 and 35 exemptions in government information disclosure

COURT REPORT 8 Jul 2025



New bereavement leave rights for families

The Government's latest amendment to the Employment Rights Bill aims to expand bereavement leave for pregnancy loss



NEWS 8 Jul 2025



Government consultation aims to improve leasehold

The government has launched a consultation on leasehold reforms, addressing service charges and transparency issues

NEWS 8 Jul 2025



Digital probate applications see major growth

The shift to online probate applications has drastically reduced processing times, easing the burden on courts

NEWS 8 Jul 2025



SJ Interview: Gary Gallen

The Solicitors Journal speaks to the Founder and CEO of rradar

INTERVIEW 20 Jun 2025



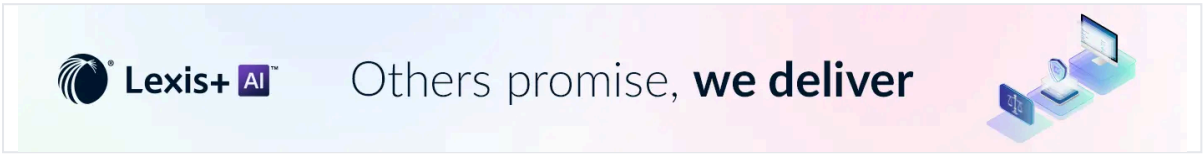
Playing politics with the rule of law

Populist attacks on legal limits threaten to redefine sovereignty and reshape Britain's constitutional future, warns Mark Elliot



FOREWORD 20 Jun 2025

AD



Legal News All Articles Announcements Appointments

Events Court Reports Opinion Features Interviews

Practice Notes Business International Follow us:

Legal News desk contact

editorial@solicitorsjournal.com

+44 (0)1223 750 755

Subscriptions

subscriptions@solicitorsjournal.com

+44 (0)1223 750 755

Advertising

advertising@solicitorsjournal.com

+44 (0)1223 750 755

Contact Us

Terms and Conditions

Cookie Policy

Privacy Policy

PLS Clear

© 2025 Solicitors Journal in partnership with the International In-house Counsel Journal | ISSN 0038-1047 | Picture Credits: Freepix, Unsplash and by permission of the authors