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THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE SIDDALL
(sitting alone)

BETWEEN:

Mr O Aiyegbusi

Claimant

AND

Sports Direct.com Retail Limited

Respondent

ON: 7 February 2017

Appearances:

For the Claimant: Mr A Ali, Representative

For the Respondent: Mr L Harris, Counsel

JUDGMENT

It is the decision of the tribunal that:

1. The claims for direct discrimination because of the protected characteristics of religious belief, sex, race or disability in relation to a) the Claimant being rostered for Sunday working and b) the refusal of his flexible working application are out of time and are dismissed.
2. The claims for harassment and victimisation because of the protected characteristics of religious belief, sex race or disability are out of time and are dismissed.
3. The Claimant may proceed with his claim for breach of a sex equality clause contrary to section 66 of the Equality Act 2010.
4. The Claimant may proceed with his claim for direct discrimination on the basis that he alleges he was paid less than his comparator Ms Singh because of the protected characteristic of his race and religious belief.

5. The Claimant may proceed with his claim that the Respondent failed to make adjustments contrary to section 20 of the Equality Act 2010 by first transferring him to the Piccadilly store and then refusing to move him to an alternative store, which the Claimant says placed him at a disadvantage due to his disability.
6. To the extent that the Claimant brings any other claims not mentioned above, these are dismissed as being out of time.

Employment Judge Siddall
Date: 7 February 2017

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.