



EMPLOYMENT TRIBUNALS

Claimant: Mr H. Davidson

Respondents: (1) ASDA Stores Limited
(2) City Facilities Management Holdings Ltd

Heard at: Watford (by phone)

On: 20 April 2020

Before: Employment Judge McNeill QC

Representation

Claimant: Mr M. Seaka, Solicitor
First Respondent: Mr F. Mortin, Solicitor
Second Respondent: No attendance

This Judgment was made following a remote case management hearing which was consented to by the Claimant and First Respondent. The form of the remote hearing was an audio hearing (A) which was joined by Solicitors for those two parties remotely. A face to face hearing was not held because it was not practicable. The Judgment follows the withdrawal by the Claimant of his race discrimination claim; a concession made by him that the First Respondent was not his employer; and an order to join the Second Respondent, subject to any application to set aside that order.

JUDGMENT

- (1) The Claimant's claim for race discrimination is dismissed on withdrawal by the Claimant against both Respondents.
- (2) The Claimant's claims against the First Respondent for unfair and wrongful dismissal are dismissed, the Claimant having conceded at the hearing on 20 April 2020 that the First Respondent was not his employer and that his claims against the First Respondent therefore have no reasonable prospect of success.
- (3) The claims which will proceed to a full hearing are the Claimant's claims against the Second Respondent for unfair and wrongful dismissal, subject to the outcome of any application made by the Second Respondent to set aside the order made on 20 April 2020 that the Second Respondent should be joined as a respondent to the proceedings.

Employment Judge McNeill QC

Dated: 20 April 2020

JUDGMENT SENT TO THE PARTIES ON

24th April 2020

.....
FOR THE TRIBUNAL OFFICE

Notes

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.

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.