



EMPLOYMENT TRIBUNALS

Claimant: Mr A Hardy

Respondent: Kaby Engineering Ltd

Heard: Remotely (by Cloud Video Platform)

On: 18, 19, 20 and 21 January 2021

Before: Employment Judge Faulkner
Ms H Andrews
Mr R Loynes

Representation: Claimant - Mr J Small (Counsel)
Respondent - Mr J Munro (Solicitor)

JUDGMENT

The unanimous decision of the Tribunal is as follows:

1. In contravention of section 39 of the Act, the Respondent discriminated against the Claimant by treating him unfavourably because of something arising in consequence of his disability in the following respects:

1.1. its questioning of the Claimant's wife on 29 April 2019 regarding the Claimant's medical treatment;

1.2. its failure to pay the Claimant on 24 May 2019; and

1.3. its dismissal of the Claimant with effect from 5 September 2019.

2. The Claimant's remaining complaints of direct disability discrimination and discrimination arising from disability are dismissed.

3. The Tribunal will determine the question of remedy at a further Hearing, details of which have been agreed with the parties.

Note: This was in part a remote hearing. The parties did not object to the case being heard remotely. The form of remote hearing was V - video. It was not practicable to hold a face-to-face hearing because of the COVID-19 pandemic.

Employment Judge Faulkner

Date: 21 January 2021

Notes

1. 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.
2. All judgments and written reasons for the judgments (if provided) are published, in full, online at www.gov.uk/employment-Tribunal-decisions shortly after a copy has been sent to the parties in a case.