



EMPLOYMENT TRIBUNALS

Claimant: Mr Holyfield

Respondents: (1) Climar Industries Ltd
(2) Staffordshire Garden Fencing Ltd

Heard At: Cardiff By Video **On:** 11th, 12th, 13th & 14th July 2022

Before: Employment Judge Howden-Evans
Tribunal Member L Owen
Tribunal Member L Thomas

Representation:

Claimant Mrs Holyfield,
Claimant's Mother

Respondents Ms K Kaur, Respondents' Legal
Representative

JUDGMENT

The unanimous judgment of the Employment Tribunal is as follows:

1. The correct Respondent is Climar Industries Limited; the Claimant was an employee of Climar Industries Limited and Climar Industries Limited had a duty to make reasonable adjustments for the Claimant.
2. The Respondent had actual knowledge of the Claimant's disability prior to the acts of discrimination.
3. Climar Industries Limited subjected the Claimant to disability discrimination, by failing to comply with its duty to make reasonable adjustments (Sections 20, 21(2), 25(2)(d), 39(2)(c) and 39(5) of the Equality Act 2010).
4. In its decision to dismiss the Claimant from employment, Climar Industries Limited has treated the Claimant unfavourably because of something arising in consequence of his disability (contrary to s39(2) and s15 Equality Act 2010).

Employment Judge L Howden-Evans

Dated: 1st August 2022

JUDGMENT SENT TO THE PARTIES ON 2 August 2022

FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS Mr N Roche

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.