



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Davies

**Respondent:** Marlin Industries (Wrexham) Limited

**Heard at:** Mold & CVP                      **On:** 11<sup>th</sup> & 12<sup>th</sup> November 2021.

**Before:** Employment Judge R F Powell

**Members:** Mrs M Walters  
Mr B Roberts

**Representation:**  
Claimant: In person  
Respondent: Mr J Dolan, solicitor

Reasons having been given at the hearing I record the following:

## JUDGMENT

The unanimous judgment of the Employment Tribunal is:

1. The claimant was a person with the protected characteristic of disability.
2. The respondent had constructive knowledge of the claimant's disability.
3. The claims of discrimination arising from the claimant's disability and failures to make reasonable adjustments are not well founded and are dismissed.
4. The claimant was unfairly dismissed.
5. The claimant received a statutory redundancy payment from the respondent which equaled the value of the basic award, accordingly no order is made for a basic award.
6. But for the respondent's unreasonable response the claimant would, in any event, have been dismissed on the effective date of his termination. Accordingly, it is not just or equitable to make a compensatory award.

**Case Number: 1601768/2020**

Employment Judge R F Powell  
Dated: 22<sup>nd</sup> November 2021

Sent to the parties on 26 November 2021

For the Tribunal Office Mr N Roche