



EMPLOYMENT TRIBUNALS

Claimant: Mr Wooton

Respondent: Specialist Building Services

Heard at: Birmingham (Hybrid: by CVP,
with the parties attending in
person)

On: 4 – 8 December 2023

Before: Employment Judge Childe
Mrs Chavda
Mr Woodall

REPRESENTATION:

Claimant: Mr E Beever (Counsel)

Respondent: Mr Huddleson (Representative)

JUDGMENT

The judgment of the Tribunal is as follows:

1. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
2. The claimant did not cause or contribute to the dismissal by blameworthy conduct and it is not just and equitable to reduce the compensatory award payable to the claimant.

3. The complaint of being subjected to detriment and/or dismissal for making protected disclosures is dismissed on withdrawal.
4. The complaint of being subjected to detriment and/or dismissal for asserting a statutory right is dismissed on withdrawal.
5. The complaint of indirect disability discrimination is dismissed on withdrawal.
6. The complaint of unfavourable treatment because of something arising in consequence of disability is well-founded and succeeds.
7. The following complaints of failure to make reasonable adjustments for disability are well-founded and succeed:
 - a. The respondent requiring the claimant to return to work with contact with his line manager, Jason Swinney, who was causing the claimant stress.
 - b. Not allowing the claimant's companion to attend the 4 July 2022 meeting.
8. The complaint of victimisation is well-founded and succeeds.
9. The complaint that the claimant was subjected to a discriminatory dismissal is well-founded and succeeds.

Employment Judge Childe

8 December 2023

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) 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.