



EMPLOYMENT TRIBUNALS

Claimant: Mr S Smith
Respondent: Royal Mail Group Limited
Heard at: East London Hearing Centre
On: 15, 16 and 17 March 2023
Before: Employment Judge Gardiner
Members: Mr M Rowe
Mrs M Legg

Representation

Claimant: In person
Respondent: Mr R Chaudhry, Solicitor Advocate

JUDGMENT

The judgment of the Tribunal is that:-

1. The Claimant's complaint of unfair dismissal under Section 94 Employment Rights Act 1996 succeeds. There is to be a 25% deduction for contributory conduct under Sections 122(2) and 123(6) Employment Rights Act 1996.
2. The Claimant's complaint of discrimination arising from disability under Section 15 Equality Act 2010 succeeds in relation to his dismissal.
3. In relation to the complaints of direct race discrimination and harassment, the Tribunal does not have jurisdiction to determine these complaints. The Claimant did not present these complaints within three months of the last of the complaints and it would not be just and equitable to extend the time limit.
4. The remainder of the Claimant's complaints are not well founded and are dismissed.

- 5. There is to be a remedy hearing lasting two days to decide the remedy to which the Claimant is entitled. This remedy hearing will not determine the issue of pension.**

**Employment Judge Gardiner
Dated: 20 March 2023**