



EMPLOYMENT TRIBUNALS

Claimant: Mr David Roberts

Respondents: Openreach Limited

Heard at: Manchester Employment Tribunals

On: 12 to 20 February 2024 (7 days)

Before: Employment Judge G Tobin

Non-Legal members: Mr D Mockford
Ms V Worthington

Appearances

For the claimant: Mr K Ali (counsel)

For the respondent: Ms A Jervis (counsel)

JUDGMENT

The unanimous decision of the Employment Tribunal was as follows:

1. At the material times, the claimant was disabled under section 6 and schedule 1 of the Equality Act 2010.
2. The claimant was not subject to discrimination arising from his disability, in breach of s15 Equality Act 2010.

By majority decision, of Employment Judge Tobin and Non-Legal Member Mr Mockford, the claimant was not unfairly dismissed, in breach of section 94 of the Employment Rights Act 1996.

The dissenting decision of Ms Worthington being that the claimant was unfair dismissed.

Matters now being concluded, proceedings will be dismissed.

Employment Judge Tobin
20 February 2024

JUDGMENT SENT TO THE PARTIES ON

28 February 2024

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FOR THE TRIBUNAL OFFICE

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 Written 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.