



EMPLOYMENT TRIBUNALS

Claimant: Mr M Cafferty

Respondent: Together Housing Association

HELD AT: Manchester

ON: 5, 6 and 7 April and 12
and 13 June 2017

BEFORE: Employment Judge Horne

Sitting with: Ms B Hillon

(the parties having consented in writing to
proceed without a second lay member)

REPRESENTATION:

Claimant: Mr S Lewis, counsel

Respondent: Mr T Wood, solicitor

JUDGMENT

The unanimous judgment of the tribunal is as follows:

1. The claimant was unfairly dismissed.
2. It would be just and equitable to reduce any compensatory award for unfair dismissal to zero, on the ground that, had the respondent acted fairly, he would inevitably have been dismissed no later than the date on which he was actually dismissed.
3. It would be just and equitable to reduce any basic and compensatory awards for unfair dismissal by 100% to reflect the claimant's contributory conduct.
4. The respondent did not breach the duty to make adjustments.
5. The respondent did not discriminate against the claimant arising from disability.
6. The respondent did not discriminate against the claimant because of age.
7. The respondent was entitled to dismiss the claimant without giving notice and the claim for damages for breach of contract therefore fails.

Case Nos. 2403169/2016

Employment Judge Horne

14 June 2017

JUDGMENT SENT TO THE PARTIES ON

21 June 2017

FOR THE TRIBUNAL OFFICE