

Reduced Allegations - Case Number: 2207744/2016 (05 February 2017)

Charles Ishola

Vs

TfL & Others

No	Details of Claim	Type of claim	PERPETRATORS
1	Dismissal	Unfair dismissal Discrimination arising From disability. Direct discrimination Victimisation Failure to make reasonable adjustment Automatic unfair Dismissal.	TfL, Adrian Walters, Shashi Verma, Tricia Riley, Sheila Fearon-McCaulsky, Woonia Ademolu, Sophia Bhaimia
2	Contractual sick pay being paid erratically	Discrimination arising from disability Failure to make reasonable adjustment Victimisation Breach of contract	TfL, Adrian Walters
3	Failure to initiate proper and fair investigations into the Claimant's grievances & turning a blind eye	Failure to make reasonable adjustment Breach of contract	TfL, Shashi Verma, Tricia Riley
4	Failure to respond to correspondence	Failure to make reasonable adjustment Victimisation	TfL, Shashi Verma, Tricia Riley, Adrian Walters
5	Causing and exacerbating the Claimant's psychiatric injury.	Breach of contract	TfL, Shashi Verma, Tricia Riley
6	Failure to protect the Claimant from harassment and discrimination / danger to health of disabled employees	Breach of contract Failure to make reasonable adjustment	TfL, Shashi Verma, Tricia Riley,

7	Extension of sick pay	Failure to make reasonable adjustment Discrimination arising from disability Indirect discrimination	TfL
8	Unauthorised pay deduction	Breach of contract Victimisation	TfL
9	By having a PMA complaints policy & procedure that does not allow right to be accompanied and right of appeal	Breach of statutory legal rights / breach of contract Indirect discrimination Failure to make reasonable adjustment	TfL, Shashi Verma, Tricia Riley
10	Lateness in contractually notifying the Claimant of half and Nil sick pay	Discrimination arising from disability. Failure to make reasonable adjustment Breach of contract	TfL, Adrian Walters
11	Not allowing a friend or family member to act in the capacity of a workplace companion when no workplace companion was available.	Indirect discrimination Failure to make reasonable adjustment	TfL, Adrian Walters
12	Failure to investigate the Claimant's harassment & discrimination complaints within reasonable time.	Victimisation Failure to make reasonable adjustment	TfL, Adrian Walters, Shashi Verma, Tricia Riley, Sheila Fearon-McCaulsky
13	Visiting the Claimant's home without his consent.	Harassment related to Disability. Victimisation Breach of contract.	TfL, Adrian Walters, Sophia Bhaimia
14	Putting the Claimant under immense pressure to attend OH when his health had deteriorated. Failure to acknowledge that the Claimant was unwell & by rejecting the Claimant's OH medical expert report	Failure to make reasonable adjustment Indirect discrimination Harassment related to disability. Victimisation	TfL, Adrian Walters, Sophia Bhaimia, Sheila Fearon-McCaulsky

15	Processing and receiving of the Claimant's OH medical reports without his consent, and without telling him prior to the request what they hoped to achieve with the referral.	Harassment related to disability. Discrimination arising from disability. Indirect discrimination Failure to make reasonable adjustment	TfL, Adrian Walters, Sophia Bhaimia, Sheila Fearon-McCaulsky
16	Fabricating information that the Claimant refused to give consent to access his GP records.	Harassment related to Disability.	TfL, Adrian Walters
17	Failure to follow company's procedure / employer breach of implied duty of trust and confidence	Breach of contract	TfL, Adrian Walters, Sophia Bhaimia, Sheila Fearon-McCaulsky, Shashi Verma, Tricia
18	Failure of the Respondents to contact the TfL Pension Fund to enquire about ill-health pension in advance of dismissing the Claimant on medical grounds	Discrimination arising from disability. Victimisation Failure to make reasonable adjustment	TfL, Woono Ademolu, Sophia Bhaimia, Adrian Walters
19	Repeatedly threatening the Claimant to stop his half sick pay for being unwell to attend OH appointment.	Failure to make reasonable adjustment Indirect discrimination Discrimination arising from disability.	TfL, Adrian Walters, Sophia Bhaimia, Sheila Fearon-McCaulsky
20	Failure to appoint an independent PMA and manager to manage the Claimant's sickness absence after he had raised complaints of discrimination and harassment against the second and third Respondents.	Failure to make reasonable adjustment Victimisation	TfL, Adrian Walters, Sophia Bhaimia, Sheila Fearon-McCaulsky
21	Failure to take reasonable steps to prevent the disadvantages the Claimant was suffering as a disabled employee.	Failure to make reasonable adjustment Victimisation	TfL, Adrian Walters, Shashi Verma, Tricia Riley, Sheila Fearon-McCaulsky

The protected Acts relied upon:

1. Harassment complaint of 15 April 2015
2. Harassment complaint of 6 May 2015
3. Discrimination complaint of 18 May 2015
4. First ET1 August 2015
5. Second ET1 November 2015
6. Discrimination complaint 12 February 2016
7. Protected Act email to the 2nd Respondent 24 February 2016
8. Protected Act email to the 2nd Respondent 26 May 2016
9. Discrimination and harassment complaint 30 May 2016
10. Third ET1 6 September 2016 (Future protected Act)

Direct Discrimination comparators:

1. Shauna Selby: she is of White origin and does not share the Claimant's disability – she was Off sick longer than the Claimant but was not dismissed.
2. The Claimant will respectfully request disclosures with regards to some other comparators.