



VCD

EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Mr M Hussain

AND

Birmingham Railway Ltd
t/a London Midland

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Birmingham

ON 1,2,4,5,8,9,10,11,12
& 15 October 2018

EMPLOYMENT JUDGE VC Dean

MEMBERS Mr R Virdee
Mr J Kelly

Representation

For the Claimant: In person

For the Respondent: Mr N Jew, solicitor

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant was not unfairly dismissed by the respondent unfairly or at all in breach of the provisions of s 94 and 98(4) of the Employment Rights Act 1996. His complaint of unfair dismissal does not succeed.
2. The claimant was not dismissed because of his trade union membership or activities. The claimant dismissal was not unfair pursuant to s152 (1)(b) of the Trade Union & Labour Relations (Consolidation) Act 1992.
3. The claimant was not wrongfully dismissed by the respondent.
4. The claimant's complaint for unlawful deductions from pay and/ breach of contract in respect of an entitlement to travel expenses does not succeed.

5. The Tribunal does not have jurisdiction to entertain the claimant's complaint that he was subject to unlawful discrimination by the prohibited conduct of unlawful harassment because of the protected characteristic of race.
6. The claimant's complaint that contrary to s 13 of the Equality Act 2010 the respondent discriminated against him because of a protected characteristic of sex and /or race and/or religion or belief does not succeed.
7. The claimant's complaints against the respondent are dismissed in their entirety.

Employment Judge Dean
15 October 2018

Note

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.