



EMPLOYMENT TRIBUNALS

Claimant: Mr J Gough

Respondent: Duckworth (Wholesale) Limited

Heard at: Manchester

On: 16-19 July 2018

Before: Employment Judge Franey
Mrs A Jarvis
Mr A J Gill

REPRESENTATION:

Claimant: In person (aided by his son, Mr R Gough)

Respondent: Mrs J Ormond, Consultant

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The complaint of a breach of the duty to make reasonable adjustments fails and is dismissed.
2. The complaint of discrimination arising from disability in relation to the dismissal of the claimant succeeds.
3. The unfair dismissal claim is well-founded. The claimant was unfairly dismissed.
4. In relation to the awards for unfair dismissal:
 - (a) There shall be no reduction for contributory fault;
 - (b) There shall be no increase because of any unreasonable failure by the respondent to follow the ACAS Code of Practice on Disciplinary and Grievance Procedures, and
 - (c) The compensatory award will be reduced by 25% to reflect the possibility of the claimant being fairly dismissed had the respondent acted fairly.

5. Any remaining issues as to remedy for the successful complaints will be determined at a remedy hearing on **18 October 2018**.
6. Written reasons for this judgment were requested at the hearing and will be promulgated in due course.

Employment Judge Franey

24 July 2018

JUDGMENT SENT TO THE PARTIES ON

26 July 2018

FOR THE TRIBUNAL OFFICE

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