



EMPLOYMENT TRIBUNALS

Claimant: Mr M Kay

Respondents: Asda Stores Limited

Heard at: Carlisle

On: 11 February 2019

Before: Employment Judge Nicol

Representation

Claimant: appeared in person

Respondent: did not appear

JUDGMENT

Upon the Tribunal being satisfied that the claim form and the notice of a preliminary hearing were sent to an address at which the respondent was trading and the respondent having failed to respond to the claim form within the prescribed time or to seek an extension of time for responding and the respondent having failed to attend the preliminary hearing or to provide an explanation for not attending and the Tribunal being satisfied that a determination can properly be made of part of the claim as set out in Rule 21(2) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, and after hearing the claimant, it is the Judgment of the Tribunal that

- 1 The claimant was dismissed by the respondent and his complaint that he was unfairly dismissed is well founded
- 2 The claimant's complaint that he suffered discrimination on the ground of the protected characteristic of disability as set out in Sections 13 and/or 15 of the Equality Act, 2010, is well founded
- 3 There shall be a hearing to determine the remedies to which the claimant is entitled and it be noted that the Tribunal has given directions for the conduct of that hearing

Employment Judge Nicol

Date: 12 February 2019

JUDGMENT SENT TO THE PARTIES ON

21 February 2019

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FOR THE TRIBUNAL

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