



# EMPLOYMENT TRIBUNALS

**BETWEEN**

**Claimant**

Mr R Russell (deceased)  
Represented by Mrs A J Sayer  
His Personal Representative

AND

**Respondent**

John A Thompson Memorial Trust

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Southampton                      **ON**                      20 to 22 January 2020

**EMPLOYMENT JUDGE GRAY**

**MEMBERS    DR N THORNBACK  
                     MRS C M EARWAKER**

### Representation

**For the Claimant:**                      Mrs A J Sayer (Claimant's PR)  
**For the Respondent:**                      Miss J Price (Counsel)

### JUDGMENT

**The unanimous judgment of the tribunal is that:**

- **The complaint of unfair dismissal fails and is dismissed;**
- **The complaint of direct disability discrimination fails and is dismissed;**
- **The complaint of indirect disability discrimination fails and is dismissed;**

- **The complaint of discrimination arising from disability fails and is dismissed;**
- **The complaint the Respondent breached its duty to make reasonable adjustments fails and is dismissed;**
- **By consent the complaint of breach of contract (notice pay – 5 weeks) succeeds and the Respondent is ordered to pay £1,425 (gross);**
- **By consent the complaint for payment of accrued but untaken holiday (91 hours) succeeds and the Respondent is ordered to pay £1,365 (gross).**

---

Employment Judge Gray  
Dated 22 January 2020

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.