



EMPLOYMENT TRIBUNALS

Claimant: Mr D Parkes

Respondent: Plastic Bottle Supplies Ltd

Heard at: Birmingham Employment Tribunal

On: 20 - 24 January 2020

Before: Employment Judge Cookson sitting with Mr Liburd and Ms Outwin

Representation

Claimant: Mr Parkes (the claimant's father)

Respondent: Mr Crowe (counsel)

JUDGMENT

1. It is the unanimous judgment of this tribunal that:
 - a. The claimant's complaints relating to being shouted at which were alleged to be acts of direct discrimination under s13 of the Equality Act ("EqA") and discrimination arising from disability under s15 of the EqA, were withdrawn at the outset of the hearing and are dismissed.
 - b. The claimant's complaints of disability discrimination under sections 13, 15 and 20 and 21 of the EqA which relate to the meeting on 8 December 2017 and to time spent on breaks being described as "excessive", were not brought in time and it would not be just and equitable to extend time to consider them.
 - c. The claimant's complaints under s13 and s15 of the EqA, which relate relating to being told of his dismissal on 17 January 2018, were not brought within the 3 month statutory time limit but it would be just and equitable to extend time to enable those claims to be considered by this tribunal and time for those complaints is extended accordingly.
2. The claimant has not shown that he was subject to direct discrimination on grounds of disability. His claim under s13 of the EqA is not upheld and is dismissed;

3. The claimant has not shown that he was subject to less favourable treatment because of something arising from his disability and his claim under s15 of the EqA is not upheld and is dismissed.

Signed by: Employment Judge Cookson

Signed on: Date 27 January 2020