



# EMPLOYMENT TRIBUNALS

BETWEEN

*Claimant*

*Respondent*

Mr Neil Duke

AND

B & M Retail Limited

## JUDGMENT OF THE TRIBUNAL

Heard at: Manchester

On: 14-18 September (inclusive) 2020

Before: Employment Judge A M Buchanan

Non-Legal Members: Mr G Pennie and Mr S Husain

### *Appearances*

For the Claimant: Mr Lee Bronze of Counsel

For the Respondent: Ms Laura Kaye of Counsel

### JUDGMENT

It is the unanimous judgment of the Tribunal that:

1. The claim of direct disability discrimination advanced pursuant to sections 13 and 39(2)(d) of the Equality Act 2010 ("the 2010 Act") is well-founded and the claimant is entitled to a remedy.

2. The claim of failure to make reasonable adjustments advanced pursuant to sections 20/21 and schedule 8 and section 39(5) of the 2010 Act is not well-founded and is dismissed.

3. The claim of indirect disability discrimination advanced pursuant to sections 19 and 39(2)(d) of the 2010 Act is not well-founded and is dismissed.

4. The question of remedy is adjourned and the parties are to write to the Tribunal by 4:00pm on 16 October 2020 to confirm that the question of remedy is settled and that the Tribunal file can be closed or, absent such settlement, to request that the matter be listed for a remedy hearing.

**EMPLOYMENT JUDGE A M BUCHANAN**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 18 September 2020**

**JUDGMENT SENT TO THE PARTIES ON**

**22 September 2020**

**AND ENTERED IN THE REGISTER**

**FOR THE TRIBUNAL**

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.

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