



Case Number: **1304229/2020 &
1304230/2020**

EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr P Siviter

v

European Metal Recycling Ltd

FINAL (MERITS) HEARING (CONDUCTED IN BY THE CLOUD VIDEO PLATFORM)

Heard at: **Birmingham** On: **9 to 12 August 2021**

Before: **Employment Judge Perry, Mr P Collier & Mr T Liburd**

Appearances

For the Claimant: **in person**

For the Respondents: **Mr J Buckle (solicitor)**

JUDGMENT

1. The complaints identified in issues 1.2.1, 1.2.3, 1.2.5 and 3.1.1 are dismissed on withdrawal.
2. The complaints identified in issue 4 (the failure to make reasonable adjustments) in relation to all four provision, criterion or practices (issues 18.2.1(a)-(d)) and the remaining direct discrimination complaint (issue 3.1.4) fail and there was no breach of part 5 of [Equality Act 2010](#). Those complaints are dismissed.
3. As to the remaining breach of contract complaints it is agreed that the respondent failed to make a payment to the claimant in lieu of:-
 - a. car allowance in relation to claimant's notice period. The respondent is ordered to pay to the claimant the agreed sum of £1,457.54 gross.
 - b. pension contributions in relation to the claimant's notice period. Conditional upon the claimant making a contribution equivalent to 4% to the scheme the respondent has agreed to pay £1,443.09 into its pension scheme.

Signed electronically by me

Employment Judge Perry

Dated: 12 August 2021