



EMPLOYMENT TRIBUNALS

Claimant: Mrs N Rashidi-Zakeri

Respondent: Birmingham City Council

Heard at: Birmingham Employment Tribunal by CVP

On: 3 to 6, 9 to 13, 16 to 19 and 24 August and 27 October 2021 (4 August plus 19 and 24 August without parties)

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

Representation

Claimant: Mr Brockley (counsel)

Respondent: Miss Hand (counsel)

JUDGMENT

It is the unanimous decision of the Employment Tribunal that:

1. the claimant was not unfairly dismissed under s103A of the Employment Rights Act 1996 ("ERA") but she was unfairly dismissed contrary to s94 of the ERA and that claim is upheld;
2. the claimant's claims for unlawful detriment under s47B of the ERA are not upheld and are dismissed.
3. the claimant's claims for unlawful direct discrimination because of race and/or religious belief (s13) and harassment related to race and/or religious belief (s26) and for victimisation (s27) under the Equality Act 2010 are not upheld and are dismissed.

Employment Judge Cookson

Date 28 October 2021

Notes

1. *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.*

2. *Public access to employment tribunal decisions*
Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.