



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Fisher

**Respondent:** Vinci Construction UK Limited

**Heard at:** Leeds Employment Tribunal (by CVP)

**On:** 29, 30, 31 March 2022

**Before:** Employment Judge Dunlop  
Ms H Brown  
Mr A Senior

## Representation

**Claimant:** Mr P Sangha (counsel)

**Respondent:** Mr J Wynne (counsel)

# JUDGMENT

1. The claimant's claim that the respondent failed in its duty to make reasonable adjustments (ss.20-21 Equality Act 2010) fails and is dismissed.
2. The claimant's claim of discrimination arising from disability (s.15 Equality Act 2010) fails and is dismissed.
3. The claimant was unfairly dismissed by the respondent.
4. The respondent is ordered to pay the claimant a Basic Award of £14,526.00.

This is calculated on the basis that the claimant had 18 years' service, for all of which he was aged 41 or over and his weekly wage exceeded the statutory limit of £538.00. So:

$$18 \times 1.5 \times £538 = £14,526.00$$

5. There is a 100% chance that the claimant would have been dismissed if a fair procedure had been followed. For that reason, no Compensatory Award is due to the claimant.

6. As there is no compensatory award, the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

Employment Judge Dunlop  
Date: 31 March 2022

SENT TO THE PARTIES ON  
Date: 04 April 2022