



EMPLOYMENT TRIBUNALS

Claimant: Mr P Breedon
Respondent: Jewson Limited
Heard: Norwich
On: 5 August 2022
Before: Employment Judge M Warren

Representation

Claimant: Mr D Frame, solicitor
Respondent: Did not attend

JUDGMENT

1. The Claimant's complaints of disability discrimination, unfair dismissal, breach of contract and for holiday pay succeed.
2. The remedy to which the Claimant is entitled shall be determined at a remedy hearing to take place at 10:00 am on **7 November 2022** in person before an Employment Judge sitting alone with a time estimate of 3 hours at The Employment Tribunal, The Magistrates Court Building, Bishopgate, Norwich, Norfolk, NR3 1UP.
3. The Claimant will rely on his bundle and witness statement produced for today.

REASONS

1. Mr Breedon gave as the respondent's address for service, his place of work. It appears to be a correct address.
2. The claim was served by the tribunal by apparently correctly addressed correspondence dated 11 March 2022. A response was due by 8 April 2022. No valid response was received.
3. Mr Breedon is therefore entitled to Judgment as to liability.
4. Employment Judge Postle decided that such Judgment should be issued, but for reasons that are not immediately apparent to me, no such Judgment was

promulgated. However, a letter was sent to the respondent by the tribunal on 21 May 2022 to say that EJ Postle had decided to issue a Judgment and that notice of a remedy hearing would follow.

5. Notice of today's remedy hearing was sent to the respondent on 17 June 2022.
6. There appears therefore to be 3 items of correspondence on the tribunal file to which the respondent has not responded.
7. Mr Frame tells me that he has been writing to the respondent by email using the email address for someone in HR who had dealt with Mr Breedon; donna.maguire@saint-gobain.com . No reply has been received. He has not written physically to the respondent.
8. Mr Frame has prepared a bundle, (including a schedule of loss) and a witness statement by Mr Breedon, for today. In his email to the tribunal enclosing those documents, (for which I am grateful), Mr Frame wrote that the he did not have the details of the respondent's authorised representative and so these documents had not been copied to the respondent. Rule 92 requires of course for, "all other parties", (not authorised representatives) to be copied in on correspondence to the tribunal.
9. I would have been bound, on the authorities, to have allowed Jewson's to be heard on remedy. They should have had the opportunity of at least having advance notice of what Mr Breedon was claiming in compensation.
10. Something has clearly gone awry with the respondents and we agreed that if I were to give Judgment as to remedy today, it is likely that in the long run, this would merely delay resolution to Mr Breedon's case. I proposed and Mr Breedon and Mr Frame very sensibly agreed, that I would postpone the remedy hearing to 7 November 2022. If there is an application for an extension of time on the response and an application for reconsideration of the Judgment, it can be dealt with then and delay will have been minimised. If nothing is heard from the respondent, Mr Breedon can have his remedy Judgment.
11. I will direct the administration to send a copy of this Judgment to the respondent's registered office, **(Saint-Gobain House, East Leake, Loughborough, Leicestershire, LE12 6JU)**.
12. Mr Frame should send a copy of the bundle and Mr Breedon's witness statement to the respondent both at the Cringleford trading address and its registered office.

Employment Judge M Warren

5 August 2022

JUDGMENT SENT TO THE PARTIES ON
20 August 2022

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FOR THE TRIBUNAL OFFICE

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