



EMPLOYMENT TRIBUNALS

Claimant: Mr M Hussain

Respondent: Santio Limited

Heard at: Birmingham by CVP

On: 12, 13,14,16 April 2021

6 & 7 July, & 9 July 2021(in
chambers)

3 August 2021 Judgment

Before: Employment Judge Dean

Members: Mr N Forward

Mr Z Khan

Appearance:

For the Claimant: in person

For the Respondent: Mr Crawford, counsel

CORRECTED JUDGMENT

The Judgment of the Tribunal is that:

1. The claimant's complaint of unlawful discrimination because of the protected characteristic of race and or religion and belief SUCCEEDS in respect only of the prohibited conduct of direct discrimination on breach of section 13 of the Equality Act 2010 by rejecting his grievance appeal without a thorough and impartial investigation into his appeal;
2. The claimant's complaints of unlawful discrimination because of the protected characteristic of his race and or religion and belief because of the prohibited conduct of Direct discrimination contrary to section 13 of the Equality Act 2010 in respect of all matters that occurred on or before 27 July 2019 are not presented in accordance with section 123 of the Equality

Act 2010 and the tribunal does not have jurisdiction to consider the complaints.

3. Save for the complaint referred to at paragraph 1 of this judgment the claimant's complaints of unlawful discrimination because of the protected characteristic of his race and or religion and belief because of the prohibited conduct of direct discrimination contrary to section 13 of the Equality Act 2010 in respect of all matters that occurred on or after 28 July 2019 do not succeed and are dismissed.
4. The claimant's complaint of unlawful deduction from pay in breach of section 13 of the Employment Rights Act 1996 does not succeed and is dismissed.
5. The claimant's complaint of the alleged breach of Regulation 12 of the Working Time Regulations 1998 does not succeed and is dismissed.
6. The respondent is ordered to pay to the claimant the sum of £3000 as compensation for injury to feelings arising from the discrimination at paragraph 1 above.

Employment Judge Dean

24 November 2021

JUDGMENT & REASONS SENT TO THE PARTIES ON

26 November 2022

FOR THE TRIBUNAL OFFICE