



EMPLOYMENT TRIBUNALS

Claimant: Mr I Evans

Respondent: Eva-Lution Property Services Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The Respondent has not filed an ET3 Response within the requisite time limit or made a written application for an extension of time (such as would comply with Rule 20 Employment Tribunal Rules of Procedure 2013) or attended today's hearing.

Having considered the available material, the employment judge is satisfied that the claim is clearly stated, and she has sufficient information to properly determine the claim.

1. The Claimant's claim for unfair dismissal is dismissed. Under section 108(1) Employment Rights Act 1996, to bring an unfair dismissal claim, an employee must have at least 2 years' continuous employment with their employer at the time they were dismissed; the Claimant accepts he did not have 2 years' continuous employment and the Tribunal does not have jurisdiction to consider this claim.
2. The Claimant's claims of disability discrimination (failure to make reasonable adjustments (s20 & 21 Equality Act 2010) and discrimination arising from disability (s15 Equality Act 2010) namely dismissing the Claimant because of something that arose in consequence of his disability (his difficulty working full time and working at the office)) succeed.
3. Regarding compensation for disability discrimination, the Claimant successfully mitigated his loss and was able to find alternative employment within 6 weeks of dismissal. He is seeking loss of earnings for 6 weeks and the lowest possible award for injury to feelings.
4. The Respondent is ordered to pay the claimant compensation for disability discrimination as follows:
 - a. the sum of £1,404 for loss of earnings; and
 - b. the sum of £990 for injury to feelings.
5. The Respondent owes the Claimant the total amount of **£2,394** which should be paid to the Claimant without deductions for tax or national insurance.
6. The Employment Protection (Recoupment of Jobseekers Allowance & Income Support) Regulations 1996 do not apply to this award.

7. Interest will accrue at a rate of 8% per annum on any amount of this award that remains unpaid 14 days after the date of this judgment. (See Article 3 (1) Employment Tribunals (Interest) Order 1990)

Employment Judge Howden-Evans

Date 5 October 2022

JUDGMENT SENT TO THE PARTIES ON
6 October 2022

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AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE Mr N Roche