



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr B. Bendell

**Respondent:** Mulalley & Co. Ltd

**Heard at:** East London Hearing Centre

**On:** 12-14 July and 10-11 October 2022,  
in chambers on 12 October and 2 November 2022,  
and at a resumed hearing on 18 January 2023

**Before:** Employment Judge Massarella  
**Members:** Mrs B.K. Saund  
Miss S. Harwood

**Representation**  
**Claimant:** Mr E. Macdonald (Counsel)  
**Respondent:** Ms L. Bone (Counsel)

## RESERVED JUDGMENT

The judgment of the Tribunal is that: -

1. the Claimant's claim of indirect disability discrimination is dismissed on withdrawal;
2. the Claimant's claims of direct disability discrimination, discrimination because of something arising in consequence of disability, failure to make reasonable adjustments, harassment related to disability and victimisation are not well-founded and are dismissed;
3. the Claimant was unfairly dismissed;
4. the Claimant contributed to his dismissal by his own conduct;
5. there will be a remedy hearing to determine the compensation to which the Claimant is entitled in the light of the Tribunal's findings and conclusions.

**Case Numbers: 3200930/2020 and 3201274/2020**

**Employment Judge Massarella  
Date: 18 January 2023**