



EMPLOYMENT TRIBUNALS

Claimant: Mr M Valciukas

Respondent: Kingdom Service Group Ltd

Heard at: 27.03.2023

On: 27 March 2023

Before: Employment Judge Dyal sitting with Non-Legal Members, Dr Suja Chacko and Ms Yvonne Batchelor

Representation:

Claimant: in person

Respondent: Mr Ramsbottom, Consultant

JUDGMENT

1. The Claimant was dismissed. The effective date of termination was 28 January 2021.
2. The Claimant's dismissal was unfair.
3. The Respondent was in breach of the duty to make reasonable adjustments.
4. The complaint of failure to make reasonable adjustments was presented outside the primary time limit but it is just and equitable to extend time.
5. The Claimant is entitled to compensation in lieu of 39.04 accrued days of annual leave upon termination.
6. The complaint of direct disability discrimination fails and is dismissed.

CASE MANAGEMENT ORDERS

- (1) The parties are to liaise to seek to agree remedy. If they are able to agree remedy, they should notify the tribunal immediately. If remedy is not agreed it shall be determined at a remedy hearing and the following directions apply.
- (2) By not later than 2 May 2023, each party is to send to the other party any documents in their possession or control that are relevant to any of the remedy issues.
- (3) By not later than 9 May 2023, the respondent shall prepare a remedy bundle and send a copy to the Claimant
- (4) By not later than 16 May 2023 any witness statements dealing with remedy are to be exchanged with the other party. No witness may give evidence without the tribunal's permission unless a witness statement has been exchanged in relation to that witness in accordance with this order.
- (5) By not later than 30 May 2023 the Claimant shall send the Respondent an updated schedule of loss
- (6) By not later than 6 June 2023, the Respondent shall send the Claimant and updated counter schedule of loss
- (7) The Respondent shall bring four copies of the bundle and four copies of all witness statements to the remedy hearing for the tribunal's use. It will also send e-copies of the same to the tribunal at one business day before the remedy hearing.
- (8) The remedy hearing shall take place in person at London South Employment Tribunal on 3 July 2023 commencing at 10 am.

Employment Judge Dyal

Date **28.03.2023**

SENT TO THE PARTIES ON

Date **12.04.2023**

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FOR EMPLOYMENT TRIBUNALS