



## EMPLOYMENT TRIBUNALS

Claimant

Respondent

**Mr. Shazad Perviaz**

v

**Vodafone Limited**

**Heard at: Birmingham**

**On: 11 to 14 and 17 April 2023**

**Before: Employment Judge Wedderspoon**

**Members: Mr. R.S. Virdee  
Mrs. E. Shenton**

**Representation:**

**Claimant: Miss. R. Senior, Counsel**

**Respondents: Mr. T. Welch, Counsel**

## JUDGMENT

1. The claim of unfair dismissal is well founded and succeeds.
2. The Tribunal concluded that if the respondent had obtained an occupational health report and consulted with the claimant, the claimant would have been fairly dismissed by the respondent by 17 August 2021 (namely by no later than 6 weeks of 5 July 2021).
3. There is no contributory fault deduction.
4. The claim of discrimination arising from disability is well founded and succeeds.
5. The respondent would have been justified in dismissing the claimant by 17 August 2021 (namely by no later than 6 weeks of 5 July 2021).
6. The claim for failure to make reasonable adjustments is not well founded and is dismissed.
7. The claim for breach of contract is dismissed on withdrawal.
8. The claim for failing to provide terms and conditions is dismissed on withdrawal.
9. The claimant is awarded a basic award of £11,424.
10. The claimant is awarded £1,712.52 (inclusive of interest) for injury to feelings award.

11. There is a deduction of 25% to the compensatory award for failure to appeal the dismissal decision.
12. The claimant is awarded holiday pay of £126.23
13. The claimant is awarded sick pay of £43.36
14. The claimant is awarded pension payment of £81.90
15. The claimant is awarded loss of statutory rights of £375.
16. The total award including interest is £13,763.01.

**Employment Judge Wedderspoon**

17 April 2023

Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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