



EMPLOYMENT TRIBUNALS

Claimant: Mr J Whiteside

Respondents: 1. Unilever UK Limited
2. Anne Donaghey
3. Nicholas Maher

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the judgment sent to the parties on 6 April 2023, is corrected as set out in block type at paragraph 1.

Employment Judge Benson
Date 11 May 2023

SENT TO THE PARTIES ON

22 May 2023

FOR THE TRIBUNAL OFFICE

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.



EMPLOYMENT TRIBUNALS

Claimant: Mr J Whiteside

Respondents: 4. Unilever UK Limited
5. Anne Donaghey
6. Nicholas Maher

Heard at: Liverpool

On: 13-17 March 2023
20-24 March 2023

Before: Employment Judge Benson
Ms F Crane
Mr J Murdie

REPRESENTATION:

Claimant: in person
Respondents: Miss V Brown - counsel

JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The claimant was unfairly dismissed pursuant to section 94 of the Employment Rights Act 1996. This claim succeeds. **The claimant's basic and compensatory awards are reduced pursuant to sections 122(2) and 123(1) and (6) of the Employment Rights Act 1996 by 30% to reflect the extent to which the claimant's conduct contributed to his dismissal.**
2. The respondent breached the claimant's contract by failing to provide him with notice. The claim of wrongful dismissed succeeds.
3. The following claims fail and are dismissed:
 - a. Discrimination arising from disability (section 15 Equality Act 2010)
 - b. A failure in the duty to make reasonable adjustments (sections 20 and 21 of the Equality Act 2010)

- c. Indirect discrimination (section 19 of the Equality Act 2010)
 - d. Detriments for making a protected disclosure (section 47B of the Employment Rights Act 1996)
 - e. automatic unfair dismissal (section 103A of the Employment Rights Act 1996)
- 4. A further hearing will be listed to consider the claimant's remedy.
 - 5. All claims against the second and third respondents are dismissed.

Employment Judge Benson

Date 27 March 2023

JUDGMENT SENT TO THE PARTIES ON

6 April 2023

FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.