



EMPLOYMENT TRIBUNALS

Claimants: Mr A Sutton

Respondent: One Parking Solution Limited

Heard at: Bristol ET (by CVP)

On: 3 July 2023

Before: Employment Judge Hena sitting with Tribunal Member Ellis and Tribunal Member Ley

Representation

Claimant: In person (No Legal Representation)

Respondent: No Legal Representation; Mr Price, Sales Director, Ms Sullivan, HR Director

LIABILITY JUDGMENT

It is the unanimous decision of the Tribunal that:

1. The claimant's complaints of harassment related to disability pursuant to the Equality Act 2010 s.26 succeeds having considered that:
 - (a) During a meeting on the 20 April 2022 the respondent said to the claimant "are you disabled because you are really slow?" or words to that effect.
 - (b) That the conduct, by way of the comment was unwanted.
 - (c) That the comment made to the claimant by the respondent related to his protected characteristic of bipolar.
 - (d) The comment, whilst unwanted conduct, did not have the purpose of violating the claimant's dignity or creating a hostile, degrading, humiliating or offensive environment for the claimant.

- (e) Whilst the comment did not have the intention to cause the effect in (d) it did have that effect of intimidating and humiliating him in the meeting, which is not reasonable.
2. The matter of remedy for injury to feelings will be considered on the papers before the Tribunal with the Parties complying with a separate directions Order.

Employment Judge Hena
Date: 3 July 2023

Judgment sent to the parties on 31 July 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.

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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.