



EMPLOYMENT TRIBUNALS

Claimant: Mr K Mattox

Respondents: (1) ARC Construction Group Ltd.
(2) CPR Recruitment Ltd.

Heard at: East London Hearing Centre

On: 11, 12 & 13 October 2023

Before: Employment Judge B Beyzade
Members: Mrs G Forrest
Mrs BK Saund

Representation

For the Claimant: In person
For the Respondents: Mr J Whyman, Business Manager (1st respondent)
Mr T Sutton, Director (2nd respondent)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the tribunal is that:

- 1.1. The claimant was a contract worker in terms of section 41(7) of the Equality Act 2010 and the first respondent was acting as principal as defined at section 41(5) of the Equality Act 2010.
- 1.2. The second respondent was an employment service provider as defined at section 56(2)(d) and (e) of the Equality Act 2010.
- 1.3. The claimant's complaint of harassment related to race as recorded at paragraphs 3.1.1 and 3.2.1 of the List of Issues is well founded and it succeeds, and the claimant is awarded compensation for injury to feelings in respect thereof which the respondents are ordered to pay to the claimant on a joint liability basis in the sum of ONE THOUSAND EIGHT HUNDRED AND SEVENTY EIGHT POUNDS AND SIX PENCE (£1878.06) [comprising £1750.00 for injury to feelings and interest on that amount from 10 November 2022 to 13 October 2023 in the amount of £128.06 (337 days x £0.38 daily rate)].

- 1.4. The claimant's complaints of direct race discrimination as recorded at paragraphs 2.1.2, 2.2.2 of the List of Issues, and harassment related to race as recorded at paragraphs 3.1.2, and 3.2.2 of the List of Issues having been withdrawn by the claimant, are dismissed pursuant to Rule 52 of Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.
- 1.5. The claimant's complaints of direct race discrimination as recorded at paragraphs 2.1.1, 2.1.3, 2.2.1, and 2.2.3 of the List of Issues are not well founded, and they are hereby dismissed.
- 1.6. The claimant's complaint of victimisation is not well founded, and it is hereby dismissed.

Employment Judge B Beyzade
Dated: 13 October 2023