



# EMPLOYMENT TRIBUNALS

**Claimant:**

Mr M Markowski

v

**Respondent:**

Tesco Stores Limited

**Heard at:**

Watford

**On:** 19, 20, 21, 22, 25, 26, 27,  
28, 29 September 2023,  
2 October 2023 (panel only),  
3, 4 October 2023

**Before:**

Employment Judge Hawksworth  
Mr D Bean  
Mr D Sutton

**Appearances**

**For the Claimant:**

In person

**Polish interpreter:**

Ms I Konko

**For the Respondent:**

Miss A Smith (counsel)

## JUDGMENT

The unanimous judgment of the tribunal is -

1. The following complaints succeed:
  - a. failure to make reasonable adjustments in relation to the warning issued on 24 October 2020 under the attendance management procedure;
  - b. discrimination arising from disability in relation to the warning issued on 24 October 2020 under the attendance management procedure;
  - c. harassment related to disability in respect of the failure to implement recommendations in occupational health reports dated 16 June 2020, 9 November 2020 and 9 March 2021.
2. The claimant's other complaints fail and are dismissed.
3. The respondent is ordered to pay the claimant the sum of £8,802.74, made up of an injury to feelings award of £7,000 and interest on the injury to feelings award of £1,802.74.
4. The respondent's application for costs is refused.

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**Employment Judge Hawksworth**

Date: 4 October 2023

Sent to the parties on: 2 November 2023

For the Tribunal Office

**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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