



EMPLOYMENT TRIBUNALS

Claimant: Mr S Molla
Respondent: London Borough of Hackney
Heard at: East London Hearing Centre
On: 28, 29 and 30 November 2023
5, 6, 7, 8 and 12 December 2023
Before: Employment Judge Gardiner
Members: Mrs B Saund
Ms S Harwood

Representation

Claimant: In person
Respondent: Mr M Salter, counsel

JUDGMENT

The judgment of the Tribunal is that:-

1. The Respondent did directly discriminate against the Claimant because of his religion contrary to Section 13 Equality Act 2010 based on the comment made in a Return to Work meeting on 8 November 2019 and the subsequent failure to investigate the complaint made about that comment.
2. The Respondent did subject the Claimant to harassment related to his religion contrary to Section 26 Equality Act 2010 in refusing to grant the Claimant on 8 November 2019 a phased return to work and a period of four weeks on lighter duties as recommended in the occupational health report prepared in advance of that Return to Work meeting.
3. It is just and equitable under Section 123(1)(b) Equality Act 2010 to disapply the primary limitation period to enable a remedy to be awarded to the Claimant in relation to those complaints.
4. The remainder of the Claimant's complaints of direct discrimination because of race or religion, harassment related to race or religion and victimisation are not well founded and accordingly are dismissed.

5. The complaint of unauthorised deduction of wages contrary to Section 14 Employment Rights Act 1996 is dismissed upon withdrawal.

**Employment Judge Gardiner
Dated: 15 December 2023**