



EMPLOYMENT TRIBUNALS

Claimant: Mr A Raza

Respondent: STM Group (UK) Limited

Heard at: London South Employment Tribunal by video (CVP)

On: 3 – 7 June 2024

Before: Employment Judge Macey
Mrs Jerram
Mr Singh

Representation

Claimant: Mr Martins, solicitor

Respondent: Mr Bunting, counsel

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The following complaints of failure to make reasonable adjustments for disability are well-founded and succeed:
 - a. Not being flexible on attendance.
 - b. Not being flexible on punctuality.
2. The remaining complaint of failure to make reasonable adjustments for disability is not well-founded and is dismissed.
3. The following complaints of unfavourable treatment because of something arising in consequence of disability are well-founded and succeed:
 - a. Inviting the claimant on 15 November 2021 to a disciplinary hearing.
 - b. Not adequately dealing with the claimant's grievance raised on 30 November 2021.

- c. On 15 February 2022 the operations manager said the claimant had to return to work or there would be further disciplinary action.
4. The remaining complaint of unfavourable treatment because of something arising in consequence of disability is not well-founded and is dismissed.
5. The following complaints of harassment related to disability are well founded and succeed:
 - a. Inviting the claimant on 15 November 2021 to a disciplinary hearing.
 - b. Not adequately dealing with the claimant's grievance raised on 30 November 2021.
 - c. On 15 February 2022 the operations manager said the claimant had to return to work or there would be further disciplinary action.
6. The remaining complaint of harassment related to disability is not well founded and is dismissed.
7. The complaint of victimisation is dismissed upon withdrawal by the claimant.
8. The Tribunal recommends that:
 - a. Within 1 month of the date on which this judgment is sent to the parties that the Head of human resources at the respondent consult the Equality and Human Rights Commission to identify how they might secure training on disability discrimination in the workplace and how to eliminate it.
 - b. Within 6 months of the date on which this judgment is sent to the parties that all managers at the level of station manager and above and the entire human resources department at the respondent undertake such training as identified by the Equality and Human Rights Commission.
9. The respondent shall pay compensation to the claimant for unlawful discrimination, inclusive of interest, of £58,586.34.

Employment Judge Macey

Date: 11 June 2024

JUDGMENT SENT TO THE PARTIES ON

20th June 2024.

FOR THE TRIBUNAL OFFICE

P Wing

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/employmenttribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.