



EMPLOYMENT TRIBUNALS

Claimant: Mr F Ahmed

Respondent: Tesco Stores Limited

Heard at: Midlands West

On: 23, 24, 25 and 26 June 2025

Before: Employment Judge Faulkner
Miss S Outwin
Mr P Kennedy

Representation:	Claimant	- Mr S Joof (lay representative)
	Respondent	- Mr H Dhorajiwala (Counsel)

JUDGMENT

1. The Respondent did not contravene section 39 of the Equality Act 2010 by discriminating against the Claimant because of race as follows:
 - 1.1. By making and investigating allegations that the Claimant had:
 - 1.1.1. worked for more than 60 hours per week;
 - 1.1.2. requested a manager other than his line manager to enter overtime hours on the Respondent's system; and
 - 1.1.3. made or permitted to be made a pay adjustment for 9 hours' work on a bank holiday (1 May 2023) when he had not worked those hours on that date.
 - 1.2. By issuing the Claimant with a final written warning on 23 June 2023.
 - 1.3. By imposing a sanction that was excessive and disproportionate when issuing the final written warning, that is by transferring the Claimant out of his role in administration.
 - 1.4. By withholding a letter dated 21 June 2023 inviting the Claimant to a disciplinary hearing and inviting him to the hearing verbally instead.

- 1.5. By failing to take seriously the Claimant's grievance dated 19 September 2023, specifically by:
 - 1.5.1. Not responding to the grievance within timescales set out in the Respondent's Grievance Procedure.
 - 1.5.2. Treating the grievance meeting as informal.
 - 1.5.3. Failing to take notes of the meeting.
 - 1.5.4. Failing to provide an outcome to the grievance.
- 1.6. By failing to respond to the Claimant's request for flexible working dated 26 August 2023.
2. The Respondent did not contravene section 40 of the Equality Act 2010 by harassing the Claimant as follows:
 - 2.1. By making and investigating the allegations referred to in paragraph 1.1 above.
 - 2.2. By demoting the Claimant to an ordinary Customer Services Assistant in conjunction with and following the issue of a final written warning on 23 June 2023.
3. All of the Claimant's complaints fail and are dismissed.

Employment Judge Faulkner

Approved on: 1 July 2025

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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Recording and Transcription

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practicedirections/>