



EMPLOYMENT TRIBUNALS

Claimant: Mr R Oliver
Respondent: Gala Contract Upholstery Ltd
Heard at: Manchester Employment Tribunal
On: 31 March 2026
Before: Employment Judge M Butler

Representation

Claimant: Mrs J Darlington (lay representative; claimant's daughter)
Respondent: Non-attendance

JUDGMENT (LIABILITY AND REMEDY)

LIABILITY

1. At the relevant times the claimant was a disabled person as defined by section 6 Equality Act 2010 because of a perforated bowel/bowel impairment.
2. The complaint of unfavourable treatment because of something arising in consequence of disability is well-founded and succeeds.
3. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015, and it is just and equitable to increase the compensatory award payable to the claimant by 25 % in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
5. The complaint of breach of contract in relation to notice pay is well-founded.
6. When the proceedings began the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars.

REMEDY

(i) Discrimination arising from disability

7. The respondent shall pay the claimant the following sums:
 - a. Compensation for past financial losses: **£20,752.46**;
 - b. Loss of statutory rights: **£400**;
 - c. 25% increase for failure to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015: **£5,288.12**;
 - d. Total compensation (a+b+c above): **£26,440.58**;
 - e. Interest on compensation calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: **£3,674.15**;
 - f. Compensation for injury to feelings: **£14,000**;
 - g. Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: **£1,945.42**
 - h. A figure of **£9,212.03** for grossing up of the compensation.
8. In calculating the grossing up part of remedy at the hearing, the Judge made an error and did not include the injury to feelings award as part of that calculation. This has been reconsidered by the Tribunal to ensure that the figures are accurate and varied accordingly. This ensures that the error that was made has been rectified.
9. As the compensatory award is made under the Equality Act 2010, the recoupment regulations do not apply.

(ii) Unfair dismissal

10. The respondent shall pay the claimant a basic award of **£1740** (2 x 1.5 x gross weekly pay of £580).

(iii) Notice pay

11. The respondent shall pay the claimant **£1040.28** as damages for breach of contract. This is a net figure.

(iv) Written statement of employment particulars

12. It is just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant **£2,080.56** (4 x £520.14).

Total figure

13. The total figure that the respondent must pay the claimant is **£60,132.92**.

Approved by:

Employment Judge **M Butler**

Date: 31 March 2026

JUDGMENT SENT TO THE PARTIES ON

Date: 6 May 2026

.....
FOR THE TRIBUNAL OFFICE

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

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

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



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2404698/2024**

Name of case: **Mr R Oliver** v **Gala Contract Upholstery Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 6 May 2026

the calculation day in this case is: 7 May 2026

the stipulated rate of interest is: **8% per annum**.

Paul Guilfoyle
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.