



EMPLOYMENT TRIBUNALS

Claimant: Mr J Gee

Respondents: J F Renshaw Limited (In Administration)

Heard at: Liverpool (by CVP)

On: 19 February 2026

Before: Judge Cowx (sitting alone)

REPRESENTATION:

Claimant: Mr Gee represented himself

Respondent: Did not attend and unrepresented

JUDGMENT having been sent to the parties and written reasons having been requested by the claimant in accordance with Rule 60(4) of the Employment Tribunals Rules of Procedure 2024, the following reasons are provided:

REASONS

1. On 13 October 2025 the claimant brought claims relating to events that occurred on 26 November 2020, 28 June 2021 and 20 June 2023.
2. The claimant claimed that on 26 November 2020, when dismissed from his employment with one week's notice he was subjected to direct discrimination on grounds of disability contrary to Section 13 of the Equality Act 2010 and discrimination arising from disability contrary to Section 15 of the Equality Act 2010, and that the respondent also failed to make reasonable adjustments for his disability contrary to Sections 20 and 21 of the Equality Act 2010.
3. The claimant claimed that on 28 June 2021, when the respondent rejected his application for a job, the respondent directly discriminated against him on grounds of

disability and that this rejection also amounted to discrimination arising from disability.

4. On 20 June 2023, the respondent again rejected a job application made by the claimant which he claimed amounted to direct discrimination on grounds of disability and to discrimination arising from disability.

5. I heard evidence from the claimant.

FACTS

6. I found the following facts.

7. Mr Gee is 30 years old. He suffers from a number of cognitive or neurodivergent conditions which amount to mental impairments.

8. The diagnosed conditions are Attention Deficit Hyperactivity Disorder (ADHD), Obsessive Compulsive Disorder (OCD), Post Traumatic Stress Disorder (PTSD) and Tourette's Syndrome. The respondent was evidently aware the claimant has these conditions after an Occupational Health referral in October 2020.

9. The above conditions have had a substantial and long-term impact on his day-to-day life. They have prevented him from forming long term romantic relationships. He also cannot lead a truly independent life in that he lives with his mother and while he accepts this is partly due to financial reasons it is also down to anxiety or obsessive thoughts about moving to an unfamiliar location.

10. Perhaps the biggest adverse impact of these conditions is difficulty in holding down employment. His ADHD and OCD cause him to adhere rigidly to legislation, rules or instructions and when others do not so adhere, or if he is told to ignore them, this causes extreme frustration which can lead to angry outbursts. This has led to the termination of his employment many times. Most of the 56 jobs he has had to date have ended for this reason.

11. The work the claimant did for the respondent was always temporary and I would describe it as casual. In 2020 he worked for the respondent from 21 September 2020. However, he soon came the attention of management after an incident with another employee when he swore at her. His verbal outburst was because he felt the other employee was not pulling her weight as he was doing. It was this which led to the OH referral. The report that was produced highlighted his various conditions and how these were linked to the incident with his colleague and how they affect his behaviour and performance at work.

12. The OH report was discussed at a meeting with Sandra Bray, the respondent's Area Manager, on 23 November 2020 and a letter recording details of this meeting was sent by Ms Bray to the claimant on 26 November 2020. At the meeting the adjustments suggested by OH were discussed. These were making colleagues aware of his conditions; giving the claimant clear instructions on what was expected of him at work; allowing him to report what he perceived to be incorrect practices; allowing him to have "time out" sessions where he could remove

himself from situations that he felt were overwhelming; having 5-10 minute meetings with his manager in the middle and at the end of each shift; and having a formal stress risk assessment. In her letter Ms Bray indicated that some of the adjustments may not have been practicable, in particular the frequent meetings with her as his manager and that the time out sessions would be dependent on causing minimal disruption to the business.

13. On the same day, 26 November 2020, Mr Richard Brookman, Head of Manufacturing, sent the claimant a letter telling him his employment was terminated with 1-weeks' notice. The letter asserted that it was necessary to release some of the respondent's temporary staff. Only two members of staff were dismissed: the claimant and another employee who had a poor absence record.

14. It was no coincidence that the termination letter was sent on the same day as Ms Bray's letter. The OH referral was the result of an incident with another employee whom he referred to as a "lazy bastard". The claimant's employment was directly linked to this incident, and his verbal outburst was something that arose from his disability. This incident, the claimant's disability which was a cause of such behaviour, and some of the adjustments suggested by OH which were deemed impracticable were the reasons why the respondent terminated his employment.

15. When the claimant applied for temporary jobs with the respondent in 2021 and 2023, he was applying for essentially the same job he had done successfully in 2020. Without any evidence from the respondent to the contrary, I conclude that the respondent rejected the claimant's applications in 2021 and 2023 because of his disability, how it might manifest itself in the workplace and because of the 2020 incident.

16. The claimant submitted his claim to the Tribunal on 13 November 2023. He did not know that by law he had 3 months from the date of the act to which his complaint relates to submit his claim to the Tribunal. The complaints relating to his dismissal in 2020 and his job application rejection in 2021 were brought out of time.

The Law

17. The relevant law on time limits is contained in Section 123 of the Equality Act 2010:

(1) Subject to section 140B proceedings on a complaint within section 120 may not be brought after the end of—

(a) the period of 3 months starting with the date of the act to which the complaint relates, or

(b) such other period as the employment tribunal thinks just and equitable.

18. The relevant law on disability is contained in Section 6 of the Equality Act 2010:

- (1) A person (P) has a disability if—
 - (a) P has a physical or mental impairment, and
 - (b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

19. The relevant law on disability direct discrimination and discrimination arising from disability is contained in the Equality Act 2010 in the following sections:

Section 13 Direct Discrimination

- (1) A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

Section 15 Discrimination arising from disability

- (1) A person (A) discriminates against a disabled person (B) if—
 - (a) A treats B unfavourably because of something arising in consequence of B's disability, and
 - (b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim.
- (2) Subsection (1) does not apply if A shows that A did not know, and could not reasonably have been expected to know, that B had the disability.

Applying the law to the facts

20. Time Limits. I considered whether it would be just and equitable to extend the time limits for those complaints relating to 2020 and 2021. I decided it was not because of the considerable length of the delay and granting an extension of time would undoubtedly put the respondent at a significant and unfair disadvantage in terms of responding to the complaints. Had those complaints been brought within time limits then the respondent, as a company, would still have been in operation and would therefore have had access to fresh or relatively fresh evidence if it chose to contest the claims.

21. Direct Discrimination and Discrimination Arising from Disability. The claimant is disabled because his ADHD, OCD, PTSD and Tourette's Syndrome are mental impairments which have a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities. It affects his behaviour in the workplace which has made it very difficult for him to hold down a job. As a result of his conditions he does not live an independent life and as an adult, he has been unable to establish romantic relationships.

22. The claimant's disability was the cause of his dismissal in 2020. Without contrary evidence from the respondent, the decision to dismiss him on the same day his manager Ms Bray highlighted the difficulties in implementing some of the adjustments suggested by OH was no coincidence. In effect, the claimant and his disability were regarded as too much of a burden and the easiest solution for the respondent was to terminate his employment. His disability was also the reason why the respondent did not want to rehire him in 2021 and 2023.

23. By rejecting the claimant's job application in June 2023, the respondent discriminated against him because of his disability. They treated him less favourably than a hypothetical person without his disability. The rejection was also discrimination arising from disability. By rejecting his application, the respondent treated the claimant unfavourably because of the incident in 2020 which occurred as a consequence of his disability.

Remedy

24. I discussed the principles of remedy with the claimant. He had not prepared a Schedule of Loss. He told me that he had taken some legal advice and was of the view that an award for financial loss was not appropriate. I explored this with him and whilst I remained open to submissions on the point, I agreed that a pecuniary award was not appropriate in the circumstances. He told me that he found another job paying the same minimum wage as the respondent would have paid. Had he got the job with the respondent it would not have been a long-term appointment. He knew it was temporary, almost casual work, because he had worked for them for what he called "stints" of a matter of weeks or months in 2016 and 2017. If successful in 2023 he said he probably would not have started work until late June and he understood the business closed in the November.

25. I explained the principle of injury to feelings to the claimant. He had done some research on this, and he felt any award would probably fall within the lowest Vento band. I asked the claimant questions on a number of topics to try to understand if he had suffered injury to feelings and if so, to what extent. Based on what the claimant told me and my assessment of the evidence, I decided injury to feelings in this case fell within the upper end of the lower Vento band and award of £8,000 was appropriate. The claimant is entitled to interest on this award at the rate of 8% per annum. The award for injury to feelings was therefore increased to £9,710. My reasons for this award are as follows.

26. In June 2021 the claimant was genuinely upset when his job application was rejected. So much so he that he contacted Ms Tamara Fell in the respondent's HR department demanding to know why he had been discriminated against. At that time he believed it was because of his disability and the incident that occurred as a consequence of it in 2020. He was assured he had not been discriminated against and that he simply did not satisfy the job specification.

27. When he was again rejected in 2023, when the job description was essentially the same as for the 2020 and 2021 vacancies, he felt upset, anguish and anger, to such a degree that he self-harmed by biting, burning or stabbing the back of his hand. This happened to be one of the claimant's coping mechanisms when his

conditions manifested themselves as stress or anxiety. The job rejection in 2023 compounded his sense of injustice which is part of his condition and increased his sense of worthlessness and that society would not recognise the nature of his condition and make allowances for him.

28. Associated with the claimant's conditions is a compulsion to work and being denied this opportunity because of his disability has had a lasting impact on his attitude to work. Although before this point his working pattern was irregular, with breaks of some months, the job rejection put him off the idea of work and after a short period (17 days) working for a glass manufacturer he decided not to apply for further jobs until he secured part-time work delivering pizzas. By choice he now works by himself as he no longer feels able to work as part of a team because he feels he will always be judged and misunderstood by fellow employees and the discrimination by the respondent has contributed to this.

29. The claimant is still suffering the effects of the discrimination over 2½ years later. This is evident from his decision to pursue this claim after it was clearly explained to him by the judge at the case management hearing in October 2025 that he was unlikely to receive any compensation from the respondent because it has gone into administration. His purpose in pursuing it regardless was the hope of securing some peace of mind from the Tribunal's acknowledgement that his claim was well founded.

30. In terms of impact on his personal life and the quality of his life, I was unable to find that the acts of discrimination have had a definite effect given the claimant told me that an existing consequence of his conditions was in any event a negative impact on his personal life and the quality of his life.

Judge C J Cowx

29 August 2026

REASONS SENT TO THE PARTIES ON
15 September 2026

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FOR THE TRIBUNAL OFFICE

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