



# EMPLOYMENT TRIBUNALS

**Claimant:** R Thomas

**Respondent:** JETMS Completions Ltd

**Heard at:** London South Employment Tribunal by video      **On:** 17 April 2024

**Before:** Employment Judge Burge

## Appearances

For the Claimant: In person

For the Respondent: Ms Hickmott (Human Resources)

# JUDGMENT BY CONSENT

1. By consent the following complaints of direct race discrimination or harassment succeed and proceed to a remedy hearing:
  - 1.1 In November 22, Mark said to the Claimant in front of others that his “..sperm wouldn’t be white - he’s black”.
  - 1.2 Mark made a reference to golliwog dolls over three months stating he doesn’t know why people find golliwogs offensive when his neighbours put it in their windows because that was a kid's toy growing up. When the Claimant asked whether he understood why that was offensive, Mark replied “this generation is sensitive”.
  - 1.3 On 11 January 2023, Mark made a joke in the tea room in front of the team, saying “What do you call a black man in a suit? Guilty.”
  - 1.4 On 11 January 2023, Mark said in front of others “Kids aren’t bad not even Muslim kids and he doesn’t mind having another black child because he can play with his dog”.
  - 1.5 Mark deliberately turned his back to the Claimant while giving instructions while facing others.

- 1.6 In April 2023 Mark asked the Claimant in front of colleagues about the eye colour of people in Jamaica. Mark then asked the Claimant if his name was connected to the Windrush.
  - 1.7 In April 2023 the Claimant was using a yellow disc, which his colleagues said was suitable but Mark used a purple disc. When the Claimant pointed out more stretches, Mark became angry, forcefully disconnected the sander from the air hose, throwing it on the floor, and then angrily tossed it onto the platform exclaiming "If you're not going to f\*cking listen, then f\*ck off," in front of two colleagues.
2. Two other complaints of direct race discrimination/harassment and victimisation proceed to a liability hearing.

17 April 2024  
Employment Judge Burge