



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Fogg

**Respondent:** Complete Review Ltd

**Heard at:** Manchester

**On:** 22 and 23 September 2024

**Before:** Employment Judge K M Ross  
Ms V Worthington  
Mr G Pennie

## REPRESENTATION:

**Claimant:** in person

**Respondent:** Ms Morriss, HR and Finance Director

# JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The claimant's claim that he was dismissed because of something arising in consequence of disability pursuant to section 15 Equality Act 2010 is well-founded and succeeds.
2. The claimant's claim that he was treated unfavourably by the respondent who subjected him to threats of violence, used force against the claimant by poking him in the chest, ordered the claimant to leave the premises immediately and told the claimant to resign because of something arising in consequence of his disability is well-founded and succeeds.
3. The claimant's claim that the respondent treated the claimant unfavourably by demoting the claimant in his job, replacing the claimant in his role and decreasing the claimant's pay pursuant to section 15 Equality Act 2010 is not well-founded and does not succeed because although the Tribunal accepts the claimant was demoted in his job, was replaced in his role and his pay was due to be decreased, this was not because of something arising in consequence of the claimant's disability.
4. The claimant's claim that the respondent ordered the claimant to move his car and no longer use a parking space because of something in consequence of disability pursuant to section 15 Equality Act is not well-founded and fails.

Notice Pay

5. The claimant's claim for unlawful deductions from wages in relation to a four week ( rather than 1 week) notice period is not well-founded and fails.

Remedy

6. The claim will proceed to remedy on 24 September 2024.

Employment Judge K M Ross

Date: 24 September 2024

JUDGMENT SENT TO THE PARTIES ON

26 September 2024

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](http://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/>