



EMPLOYMENT TRIBUNALS

Claimant: Ms E Wood
Respondent: iForce Limited

HELD AT: Leeds **ON:** 15, 16, 17, 18
January 2018

BEFORE: Employment Judge D N Jones
Mr G Harker
Mr K Lannaman

REPRESENTATION:

Claimant: Mr I Steele, solicitor
Respondent: Mr K McNerney, counsel

JUDGMENT

The Tribunal holds, unanimously:

1. The respondent subjected the claimant to a detriment in issuing her with a final written warning on 15 December 2016 which was unfavourable treatment because of something, her refusal to comply with a management instruction, which arose in consequence of her disability of osteoarthritis. The respondent had reasonable grounds to know the claimant was a disabled person. The claim was presented in time.
2. The respondent breached its duty to make reasonable adjustments in failing to adjust the height of the printers at the workstations where the claimant was required to work, so as to avoid the requirement for her to bend to collect invoices, which was a provision, criterion or practice which placed her, as a disabled person, at a substantial disadvantage. The respondent knew, or had reasonable grounds to know, that the claimant was a disabled person and that the provision criterion or practice placed her at this disadvantage. The claim was presented in time.
3. The complaints of victimisation and breach of duty the to make adjustments, save as set out in paragraph 2, are dismissed.
4. The complaint of direct discrimination is dismissed upon withdrawal.

5. The respondent shall pay to the claimant compensation of £8,000 and interest of £693 for the injury to feelings she suffered as a consequence of the unlawful discrimination.
6. It is recommended, for the purpose of obviating or reducing the adverse effect on the claimant of the unlawful discrimination, that the respondent withdraw, forthwith, the written warning issued on 6 February 2017 and expunge from its records any reference to the final written warning issued on 15 December 2016 and the written warning issued to substitute it on 6 February 2017.

Employment Judge D N Jones

Date: 19 January 2018