



EMPLOYMENT TRIBUNALS

Claimant: AA

Respondent: A Supermarket

Heard at: London South (Ashford) **On:** 6, 7, 8, 9, 10, 13, 14 (In Chambers) & 15 August 2018

Before: Employment Judge John Crosfill
Mr G Anderson
Mr S Huggins

Representation

Claimant: Ms L Millin of Counsel

Respondent: Ms R Barrett of Counsel

JUDGMENT

1. The Claimant was unlawfully subjected to harassment relating to disability contrary to S26 and 39 of the Equality Act 2010 on 2 July 2016 by being referred to as 'mental'.
2. The Respondent failed to make a reasonable adjustment by failing to provide the Claimant with an appropriate chair contrary to Sections 20, 21 and 39 of the Equality Act 2010 such duty having arisen and been breached by 1 August 2016
3. The Respondent is ordered to pay the Claimant the sum of **£9,000** injury to feelings in respect of the act of harassment; and
4. The Respondent is ordered to pay the Claimant the sum of **£6,000** injury to feelings (including any physical pain caused by the failure) in respect of the failure to make reasonable adjustments.
5. The Claimant is awarded interest at a rate of 8% from 2 July 2016 to 15 July 2018 on the sum of £9,000 = $0.08 \times 744(\text{days})/365 \times £9,000 = \mathbf{£1467.62}$

Case No: 2302102/2016

6. The Claimant is awarded interest at a rate of 8% from 1 August 2016 to 15 July 2018 on the sum of £6,000 = $0.08 \times 714(\text{days})/365 \times £6,000 = \text{£ } 938.96$

7. All other claims identified by the Claimant as falling for determination at the hearing are dismissed.

Employment Judge John Crosfill
Date: 30 August 2018

Note

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.