



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Wiles

**Respondent:** SY Pumps Limited

**Heard at:** Sheffield

**On:** 30 October 2018 to 2  
November 2018

**Before:** Employment Judge Little  
Mr M Lewis  
Mr K Smith

## REPRESENTATION:

**Claimant:** In person (accompanied by PSU volunteers)

**Respondent:** Mr R Cater (Citation)

# JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The complaint of direct disability discrimination (the claimant's dismissal) succeeds.
2. The complaints of failure to make reasonable adjustments, harassment related to disability and victimisation, fail.
3. The respondent is ordered to pay to the claimant forthwith compensation in the amount of £22,130.37. The calculation of that award is set out in the schedule annexed.

## SCHEDULE

### Loss of earnings

#### Immediate loss

1. 28.12.17 to 21.3.18

- The period from expiry of paid notice to the start of fixed term contract with Chesterfield Borough Council

12 weeks x 298.84 net = 3586.08

Less Job Seekers Allowance 429.00

3157.08

2. 21.3.18 to 12.7.18

- Duration of Chesterfield BC job curtailed early due to broken foot.

16 weeks of differential loss between old and new pay

16 weeks x 3.00 48.00

3. 12.7.18 to 11.9.18

- Unemployment

9 weeks x 298.84 2689.56

Future loss NIL as second new job (ResolveCall) pays more than old job

Total loss of earnings award 5894.64

Interest thereon @ 8% pa from 'mid point' is 157 days at a daily rate of £1.29 202.53

Injury to feelings 15,000

Interest thereon @ 8% pa from date of discriminatory dismissal is 315 days at a daily rate of £3.28 1033.20

Overall Award £22,130.37

Employment Judge Little

Date 8<sup>th</sup> November 2018