



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Ms Avril Iles

AND

Laura Ashley Limited

JUDGMENT OF THE TRIBUNAL

Heard at: North Shields

On: 29-31 May 2019

Before: Employment Judge A M Buchanan

Non Legal Members: Ms E Menton and Mr E A Euers

Appearances

For the Claimant: In person

For the Respondent: Mr William Lane - Solicitor

JUDGMENT

It is the unanimous Judgment of the Tribunal that:

1. The claim of discrimination by failure to make reasonable adjustments advanced pursuant to sections 20/21 and schedule 8 and section 39(5) of the Equality Act 2010 ("the 2010 Act") is well-founded and the claimant is entitled to a remedy.
2. The claim of disability related harassment advanced pursuant to sections 26 and 40 of the 2010 Act is well-founded in part and the claimant is entitled to a remedy.
3. The claim of discrimination arising from disability advanced pursuant to sections 15 and 39(2)(d) of the 2010 Act is not well-founded and is dismissed.
4. The claim of unfair constructive dismissal advanced pursuant to sections 94/98 of the Employment Rights Act 1996 ("the 1996 Act") is well-founded and the claimant is entitled to a remedy.
5. The respondent is ordered to pay to the claimant the sum of £8631.23 compensation for unlawful discrimination pursuant to section 124 of the 2010 Act.
6. The respondent is ordered to pay to the claimant pursuant to sections 118-126 of the 1996 Act the sum of £10359.58 as compensation for unfair dismissal comprising a basic award of compensation of £1274.72 and a compensatory award of compensation of £9084.86.

7. The total sum due from the respondent to the claimant is £18990.81 and is payable forthwith.
8. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this award.

**EMPLOYMENT JUDGE A M BUCHANAN
JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 31 May 2019**

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.

Public access to employment tribunal decisions

Judgements and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2503262/2018**

Name of case(s): **Ms A Iles** v **Laura Ashley Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **13 June 2019**

"the calculation day" is: **14 June 2019**

"the stipulated rate of interest" is: **8%**

MISS K FEATHERSTONE
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.