



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

V

RESPONDENT

Ms A Mullally

**(1) Virgin Atlantic Airways
Limited
(2) Mr S Lavery**

Heard at: London South
Employment Tribunal

On: 14, 15, 16, 17, 18 and 21 June 2021

Before: Employment Judge Hyams-Parish

Members: Mr J Turley and Dr S Chacko

Representation:

For the Claimant: In Person

For the First Respondent: Mr T Brown (Counsel)

For the Second Respondent: Ms J Connolly (Counsel)

JUDGMENT

It is the **unanimous** Judgment of the Employment Tribunal that:

- (a) The First Respondent having admitted liability, the claims of sex related harassment succeed against the First Respondent.
- (b) Four out of seventeen claims¹ of sex related harassment succeed against the Second Respondent, whilst the remaining claims fail and are dismissed.
- (c) The First Respondent having admitted liability, the claim of constructive unfair dismissal succeeds against the First Respondent.

¹ Allegations 7, 8, 11 and 12 from the list used at the hearing.

- (d) The claim of automatic unfair dismissal (s.103A ERA) against the First Respondent fails and is dismissed.
- (e) The detriment claim brought pursuant to s.47B ERA against the First Respondent fails and is dismissed.
- (f) The claim of victimisation brought pursuant to s.27 EQA against the First Respondent fails and is dismissed.

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Employment Judge Hyams-Parish
21 June 2021

SENT TO THE PARTIES ON
23 June 2021

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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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.