



# EMPLOYMENT TRIBUNALS

**Claimants:** (1) Mr P Wheeler  
(2) Miss F Hill

**Respondent:** Lions Hastings Pier Limited

**HEARING** at Ashford

**On:** 9 May 2022

**Before:** EMPLOYMENT JUDGE CORRIGAN  
Sitting Alone

**Representation**

**Claimants:** Mr M Foster, Solicitor  
**Respondent:** No appearance

## JUDGMENT

1. The first claimant was constructively unfairly dismissed by the respondent and is awarded £28,646.19 to be paid by the respondent to the first claimant.
2. This award consists of

Basic award	£3,810
Compensatory award	£24,836.19
3. The compensatory award includes loss of earnings to date of £23,488.19 and loss of statutory rights of £1,348 (approximately 2 weeks' gross pay).
4. Recoupment does not apply to this award.

5. The respondent contravened section 40 Equality Act 2010 and is ordered to pay compensation to the second claimant of £43,078.68.
6. This sum includes loss of earnings of £4,380 and an injury to feelings award of £38,698.68 (including interest on the hurt feelings award of £8,698.68).
7. The interest was calculated from 23 September 2018, the midpoint of the harassment complained of, at the rate of 8% per annum (£6.57 per day for 1324 days).
8. The second claimant was constructively unfairly dismissed by the respondent and is awarded compensation of £2,766 to be paid by the respondent to the second claimant.
9. This sum consists of a basic award of £1844 and loss of statutory rights of two weeks' gross pay approximately (£922).
10. Recoupment does not apply to this award.
11. The total to be paid by the respondent to the second claimant is £45,844.68.

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**Employment Judge Corrigan**  
Ashford  
9 May 2022