Case Number: 1402404/2021



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant and Respondent

Mrs W. Jackson John Patt's Ltd

Held at: Exeter On: 29 November 2022

Before: Employment Judge Smail

Mrs V. Blake Ms E. Smillie

Appearances

Claimant: In Person

Respondent: Mr E. Oarith (Counsel)

CONSENT JUDGMENT

By consent:

- 1. The Claimant was at all material times a disabled person including because of Chronic Obstructive Pulmonary Disease.
- 2. The Respondent unfairly dismissed the Claimant by counting disability-related absences in scoring in a redundancy exercise.
- 3. The Respondent discriminated against the Claimant contrary to s.15 of the Equality Act 2010 by dismissing her, the circumstances of her dismissal (not wearing a mask because of medical exemption from the same) arising from her disability.
- 4. The Respondent discriminated against the Claimant by failing to make a reasonable adjustment, contrary to s.20 of the 2010 Act, in respect of her Chronic Obstructive Pulmonary Disease by failing to allow her to work without a mask.
- 5. The Respondent must pay the Claimant compensation in the sum of £10,975.40 within 14 days.

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6. £10,000 of the £10,975.40 is awarded by consent in respect of injury to feelings.

Employment Judge Smail Date: 29 November 2022 South West Region

Judgment sent to the parties on 06 December 2022 By Mr J McCormick

For the Tribunal Office