



EMPLOYMENT TRIBUNALS

Claimant

Mr L Johnston

Respondent

Telecom Service Centres Ltd trading
as Webhelp UK Trading

Heard at: Leeds by Teams

On: 27 September 2023

Before: Employment Judge Davies
Ms H Brown
Mr G Wareing

Appearances

For the Claimant:

In person

For the Respondent:

Mr Maxwell solicitor

JUDGMENT

1. In respect of the complaint of indirect discrimination because of race (nationality) upheld in the Tribunal's liability judgment dated 3 July 2023, the Tribunal's judgment on remedy is as follows:
 - 1.1 The liability judgment contained a declaration that the Respondent indirectly discriminated against the Claimant. There is no appropriate recommendation in this case. It is appropriate to make an award of compensation.
 - 1.2 There is a 25% chance that the Claimant would have been given the job if his interview had not been cancelled.
 - 1.3 The Claimant would have remained in the job for at least 8 months, which is the period for which he claims lost earnings.
 - 1.4 The Claimant's net income for the 8-month period if he had been given the job would have been £11,831.82. His loss is valued at 25% of that figure, namely £2,957.96.
 - 1.5 The Claimant's income during the 8-month period exceeded that sum, so no award of compensation for lost earnings is made.
 - 1.6 The Respondent shall pay the Claimant **£5,000** in respect of injury to feelings.
 - 1.7 The interest payable on that sum is **£661.92**.
 - 1.8 The total payable to the Claimant is therefore **£5,661.92**.
- 2 This judgment is stayed pursuant to Tribunal Rule 66(b) pending the final conclusion of the Respondent's appeal against the Tribunal's liability judgment.

- 3 The parties must notify the Tribunal within 14 days of the conclusion of that appeal that it has concluded so that the Tribunal can lift the stay.

**Employment Judge Davies
27 September 2023**