



EMPLOYMENT TRIBUNALS

Claimant: C
Respondent: D
Heard at: East London Hearing Centre
On: 24 March 2023
Before: Employment Judge C Lewis

Representation

Claimant: In person
Respondent: Did not attend (Response not entered)

REMEDY JUDGMENT

The Claimant's claim for disability discrimination having succeeded in the terms set out in the Reserved Judgment on liability sent to the parties on 6 February 2023, in accordance with s 124 of the Equality Act 2010 the Respondent is ordered to pay the following compensation to the Claimant forthwith.

1. Loss of earnings in the sum of **£60,416.56**, calculated as follows:

Losses to date

1.1 Loss of income from 8 December 2021 to 24 March 2023 = £16,121.22

(i) 8 December 2021 to 24 July 2022, 33 weeks at £130.58 = £4,309.14;

(ii) 25 July 2022 to 24 March 2023, 34 weeks at £340.73 net per week = £11,812.08 net.

Future loss

1.2. Loss of earnings for a period of 2 and a half years at £340.73 net per week (annual net salary of £17,718.16) = **£44,295.34**

Total loss of income, past and future loss = £60,415.56.

2. Injury to feelings including personal injury in the sum of **£90,000.00**

3. Interest in the sum of **£4996.90** awarded under the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996. Calculated as follows, the current rate of interest on awards being 8%:

3.1 Interest on loss of income in the sum of £79.15

The calculation of interest is from the midpoint in respect of the award for loss of income. Lost income from the 8 December 2021 to the date of calculation, 24 March 2023 being a period of 448 days. The midpoint is at day 224. The interest calculation is: £16,121.22 x 8% = £128.98, divided by 365 = 0.35p per day x 224 days =£79.15

3.2 Interest on injury to feelings in the sum of £4,917.75.

Interest on the award for injury to feelings is usually awarded from the date of the discriminatory act. The discrimination commenced on 18 April 2021, it continued through the Claimant's employment. I have decided that it would be unjust to award interest for the entire period from April 2021 to the date of this hearing and applying Regulation 6(3) of the Regulations I award interest on the injury to feelings compensation from the 18 July 2022 which is the date on which the effect of the discrimination caused the Claimant to develop a Functional Neurological Disorder.

The calculation is therefore as follows:

18 July 2022 to 24 March 2023, being a period of 249 days. Interest on £90,000 at 8% is a yearly sum of £7,200 divided by 365 days equals £19.75 per day, x 249 days = £4,917.75.

4. **The grand total of the award of compensation is the sum of £155,413.46 (1. loss of income + 2. injury to feeling + 3. interest) which is payable by the Respondent to the Claimant forthwith.**

**Employment Judge C Lewis
Dated: 30 March 2023**