



EMPLOYMENT TRIBUNALS

Claimant: Mr C Hynes

Respondent: Tower Hire and Sales Ltd

Heard at: Cardiff by video **On:** 23 and 24 May 2024

Before: Employment Judge R Harfield

Representation

Claimant: Mr Hynes represented himself

Respondent: Did not attend (has not filed an ET3 response or participated in any way)

JUDGMENT

1. The complaints of disability discrimination (harassment related to disability, discrimination arising from disability and failure to make adjustments) are well founded and upheld;
2. The complaints of age and sexual orientation direct discrimination and harassment are not well founded and are dismissed;
3. The complaints of protected disclosure and health and safety “automatic” unfair dismissal are well founded and upheld;
4. The respondent shall pay the claimant the following sums:
 - a. Compensation for past financial losses: **£10,089.97**
 - b. Interest on compensation for past financial losses calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: **£395.86**
 - c. Compensation for future financial losses: **£9,778.08**
 - d. Compensation for injury to feelings: **£15,000.00**
 - e. Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: **£1,163.84**
 - f. Uplift of tax due on 1 week’s past loss of notice (as likely to be taxable as Post Employment Notice pay) **£42.60**;
 - g. The award has otherwise been calculated on a net basis on the understanding that the award for injury to feelings will be tax free and the remainder of the award is less than £30,000.00. But if these

assumptions as to tax are incorrect a party can apply for reconsideration.

Employment Judge R Harfield

Date - 24 May 2024

JUDGMENT SENT TO THE PARTIES ON 29 May 2024

FOR THE TRIBUNAL OFFICE Mr N Roche

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>