



EMPLOYMENT TRIBUNALS

Claimant: Miss A. Wheatle
Respondent: J D Wetherspoon PLC
Heard at: East London Hearing Centre
On: 24-26 April 2024 (liability)
19 June 2024 (in chambers)
9 July 2024 (oral judgment and remedy, by CVP)
Before: Employment Judge Massarella
Miss J. Isherwood
Mr L. Purewal

Representation:

Claimant: In person, assisted by her mother, Ms N. Lock
Respondent: Mr K. Zaman (Counsel)

JUDGMENT

The judgment of the Tribunal on liability is that: -

1. the claims of direct disability discrimination at Issue 3.1.2 and disability-arising discrimination at Issues 4.1.1 and 4.1.2 are dismissed on withdrawal;
2. the claim of failure to make reasonable adjustments to the practice of requiring the Claimant to work shifts without the support of another manager/shift manager succeeds (Issues 6.2.2, 6.2.3 and 6.5.3);
3. the Tribunal lacks jurisdiction to determine the claim of direct disability discrimination at Issue 3.1.1 because it was presented outside the statutory time limits, and it is dismissed;
4. all the remaining claims of direct disability discrimination, disability-arising discrimination, indirect disability discrimination and failure to make reasonable adjustments are not well-founded and are dismissed.

The judgment of the Tribunal on remedy in relation to the single successful claim of failure to make reasonable adjustments is that: -

- 1. the Claimant is awarded £14,300 for injury to feelings; and**
- 2. £3,175 in interest on that award;**
- 3. because this award relates to pre-termination discrimination, there is no liability for tax and no requirement for grossing up.**

**Employment Judge Massarella
Date: 9 July 2024**