



EMPLOYMENT TRIBUNALS

Claimant: Miss H Bolton

Respondent: ASAP Stevenage Ltd

Heard at: Reading (by CVP)

On: 4 and 5 November 2024

Before: Employment Judge McCooley
Mrs B Christofi
Ms B Osborne

REPRESENTATION:

Claimant: In person, supported by Ms Trimarco, HR Consultant.

Respondent: Did not attend.

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The complaint of direct disability discrimination is well-founded and succeeds.
2. The complaint of unfavourable treatment because of something arising in consequence of disability is well-founded and succeeds.
3. The complaint of failure to make reasonable adjustments for disability is well-founded and succeeds.

Remedy

4. The respondent shall pay the claimant the following sum **£38,009.50**.
5. This is calculated as follows:
 - a. Basic award for unfair dismissal: **£923.08**
 - b. Loss of statutory rights: **£923.08**
 - c. Compensation for past financial losses:
£8931.72
 - i. 16 weeks of lost earnings of £461.54 per week = £8,307.72;

- ii. Loss of pension = £624 (3% of net monthly pay of £1600 = £96 monthly payment x 13 months, which is the date between dismissal and the claimant commencing employment with her current employer in March 2024);
- d. Interest on compensation for past financial losses calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996:
£689.03; (638/2 midpoint * 0.08 * 1/365 * £8931.72 + £923.08 loss of statutory rights)
- e. Compensation for injury to feelings:
£20,000 (Towards the middle of the middle Vento Band)
- f. Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996:
£2,796.71 (from the date of discrimination of 6.2.23 until today, 5.11.24, a period of 638 days: 638 * 0.08 * 1/365 * £20,000)
- g. ACAS uplift 10%: **£3,334.05** (10% of compensatory award and injury to feelings award: 0.1 x £33,340.54)
Total: **£36,674.59**
- h. Grossing up of award over £30,000: **£1,334.91** (£6,674.59 x 1.20)

Grand total: £38,009.50

6. **Note:** these are the sums actually payable to the claimant after deductions and adjustments have been made.

**Employment Judge McCooley
5 November 2024**

Judgment sent to the parties on:
8 November 2024

For the Tribunal:

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) 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.