



EMPLOYMENT TRIBUNALS

Claimant: Ms L Kogut

Respondent: The British Library

FULL MERITS HEARING AT LONDON CENTRAL

Heard by CVP on 22-30 January 2025

Before: Employment Judge Nicolle sitting with Non-Legal Members Ms D Keyms and Mr A Adolphus.

For the Claimant: in person

For the Respondent: Mr J Braier of counsel.

JUDGMENT ON LIABILITY

1. The Claimant's claim that the Respondent failed to make a reasonable adjustment to provide her with a quiet location within its premises succeeds in accordance with sections 20, 21, 22 and 39 (5) of the Equality Act 2010 (the EQA) or alternatively that it failed to move her to a quiet office temporarily until a permanent suitable alternative role was identified.
2. All other claims brought by the Claimant fail and are dismissed.

JUDGMENT ON REMEDY

3. The Claimant is awarded the sum of £1240.49 for the reduction in salary she sustained between 1 September 2022 and 30 November 2022.
4. In accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 (s.1996/2803) the Claimant is

awarded interest under the EQA which is calculated based on the prevailing rate of interest under s.17 of the Judgments Act 1838 which for the applicable period is 8%.

5. Under Regulation 6 (1) (b) on an award of compensation interest shall be paid for the period beginning on the mid-point date and ending on the day of calculation.
6. Pursuant to Regulation 4(1) and 4(2) the mid-point date is halfway between the commencement date of the discriminatory act of 15 October 2022 (the Tribunal having determined that the starting point of the discriminatory act is most appropriately halfway through the period of 3 months during which the Claimant received a reduced salary) and the date of the judgment of 30 January 2025. This is therefore a period of 403.5 days.
7. Based on the above the total interest awarded to the Claimant on the award in respect of reduced salary is £109.71 and therefore a total of £1350.20 which sum shall be subject to appropriate deductions for tax and national insurance contributions.
8. The Tribunal considers that an injury to feelings award of £5000 is appropriate in accordance with the *Vento* criteria.
9. Therefore based on an injury to feelings award of £5,000 interest, calculated at a rate of 8%, with the date of the prohibited act of 27 January 2020, and calculation date of 30 January 2025, giving a total of 1099 days, is £1204.38 and therefore a total of £6204.38. The award for injury to feelings, given that it is unrelated to the termination of employment, is tax free.

REASONS

10. Oral reasons were given to the parties. Either party may request written reasons within 14 days of this judgment being sent to them.

Employment Judge Nicolle

Dated: 31 January 2025

Sent to the parties on:

6 February 2025