



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Erica Krasickaite

**Respondent:** Vivien of Holloway Limited

**Heard at:** Reading via video

**On:** 3 to 6 August 2026

**Before:** Employment Judge MJ Smith  
Mr J Appleton  
Mr P Hough

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Ms Vivien Wilson (owner)

## JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The following complaint of failure to make reasonable adjustments for disability is well-founded and succeeds:
  - a) Failure to postpone the disciplinary hearing until the claimant returned from sick leave.
2. The remaining complaints of failure to make reasonable adjustments for disability are not well-founded and are dismissed.
3. The following complaint of harassment related to disability is well-founded and succeeds:
  - a) On 7 February 2024 Ms Wilson refused to obtain an occupational health report

4. The remaining complaints of harassment related to disability are not well-founded and are dismissed.
5. The complaint of victimisation is well-founded and succeeds.
6. The respondent shall pay the claimant **£1,500** for compensation for the discrimination and victimisation claims.
7. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
8. The respondent shall pay the claimant **£3,199.45 gross** for the basic award for unfair dismissal.
9. There is no separate compensatory award for unfair dismissal because the full compensatory award has been awarded under the discrimination and victimisation claims.
10. A **15%** uplift on the discrimination, victimisation and unfair dismissal award was awarded for the respondent's failure to comply with the ACAS Code of Practice on Disciplinary Grievance and Procedure. The award payable including the uplift is **£5,404.37**.
11. The complaint of breach of contract in relation to notice pay is well-founded.
12. The respondent shall pay the claimant **£7,678.62 gross** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Approved by:

**Employment Judge Modupe Smith**

**6 August 2026**

Judgment sent to the parties on:

14 September 2026

For the Tribunal:

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. If written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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 at [www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/](http://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/)