



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

AND

Respondent

Miss R Mekari

The Royal Borough of Kensington
and Chelsea

Heard at: London Central

On: 21, 22, 23, 24,
27 and 28 June 2022

Before: Employment Judge H Stout
Tribunal Member M Pilfold
Tribunal Member D Carter

Representations

For the claimant: In person

For the respondent: Simon Harding (counsel)

JUDGMENT

The judgment of the Tribunal is that:

- (1) The Respondent failed to comply with the duty in Equality Act 2010 (EA 2010), ss 20-21 and 39(5) to make reasonable adjustments for the Claimant's disability by:
 - a. Failing to provide her with a keyboard and mouse for homeworking between 21 December 2020 and the end of January 2021;
 - b. Failing to exempt her from the requirement to greet visitors to the centre and carry out temperature checks between 1 October 2020 and 7 November 2020.
- (2) Although the claim in respect of (1b) above was brought outside the time limit in EA 2010, s 123(1)(a), it is just and equitable to extend time under s 123(1)(b).

- (3) The Respondent directly discriminated against the Claimant because of her disability in contravention of EA 2010, s 13 and 39(2)(d) by not demonstrating in 2018 (in particular through the purchase of flowers) as much support for the Claimant in her bereavement as it did for her non-disabled colleague, but this claim is out of time under EA 2010, s 123(1)(a) and it is not just and equitable to extend time under s 123(1)(b).
- (4) The Respondent harassed the Claimant contrary to Equality Act 2010 (EA 2010), s 26 and 40 by suggesting in public on 24 October 2017 that she should use annual leave to cover disability-related hospital appointments, but this claim is out of time under EA 2010, s 123(1)(a) and it is not just and equitable to extend time under s 123(1)(b).
- (5) The Respondent did not otherwise contravene the EA 2010 and the Claimant's other claims of direct discrimination, harassment and failure to comply with the duty to make reasonable adjustments are dismissed.
- (6) The Respondent must pay to the Claimant, within 14 days of the date this judgment is sent to the parties, the sum of **£9,046.79**, comprising £8,000 as compensation for injury to the Claimant's feelings and £1,046.79, being the interest on that sum agreed by the parties under the *Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996*, reg 2(2).

Employment Judge Stout

30th June 2022

JUDGMENT SENT TO THE PARTIES ON

30/06/2022

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FOR THE TRIBUNAL OFFICE

Reasons were given orally at the hearing and written reasons will not be provided unless they are asked for by a request in writing presented by any party under Rule 62(3) within 14 days of the sending of this judgment.