



EMPLOYMENT TRIBUNALS

Claimant: Miss S Camara
Respondent: City Leeds Cleaners Decontamination Solutions Limited

AT A HEARING

Heard at: Leeds **On:** 15th February 2019
Before: Employment Judge Lancaster

Representation

Claimant: In person
Respondent: No appearance entered and did not attend

JUDGMENT

The claim of race discrimination is dismissed.

REASONS

1. The Claimant has already had a judgment in her favour for the monies owing to her when she was dismissed.
2. In her claim form (ET1) she has also said that she is claiming race discrimination, but gives no details apart from saying that she was treated like a slave and her contract was just ended. The Claimant is black.
3. Because a Response has not been entered to this claim the preliminary hearing to clarify the issues was cancelled.
4. I have therefore, today, clarified the issues in discussion with her and have heard evidence from the Claimant.
5. The Claimant was dismissed on Monday 16th July 2018 (not 16th June as stated in the ET1).
6. She went on holiday to Freetown, Sierra Leone, for 5 weeks from 6th June to 12th July. The Claimant says that this had been authorised by her manager.
7. When she telephoned the owner of the business on Monday 16th July to ask about coming back to work he said that he did not want to see her.

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8. The Claimant accepts that there was an issue between them about whether or not her holiday had in fact been authorised.
9. The Claimant says “he crossed the line on me”: that is he did not want to talk to her.
10. She asked if this was because of her colour and was told it was not.
11. Whilst the Claimant was, I accept, treated rudely as well as not being properly paid all the sums owing to her at the date of termination, unfair treatment is not the same as discrimination.
12. On this evidence the Claimant has not established any facts from which I could conclude that she was treated in this way because of her race. That is, there is no evidence on which I could properly decide that she has in fact been treated less favourably than a white person would have been in the same circumstances. It is not enough that the Claimant herself may believe this to be the case.
13. Even though this claim is undefended it cannot, therefore, succeed.

EMPLOYMENT JUDGE LANCASTER

DATE 15th February 2019

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