



# **EMPLOYMENT TRIBUNALS**

## **BETWEEN**

**Claimant**

Mrs Janik-Mirek

**Respondent**

Euro Communications Distribution Ltd

**AND**

### **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

**HELD AT** Birmingham

**ON**

4 – 11 March 2019

**EMPLOYMENT JUDGE** Harding

**MEMBERS**

Ms Gill

Mr McIntosh

**Representation**

**For the Claimant:** Mr Mirek, claimant's husband

**For the Respondent:** Mr Bromige, Counsel

### **JUDGMENT**

1 The claim of direct race discrimination contrary to sections 13 and 39 of the Equality Act 2010 fails and is dismissed.

2 The claim of victimisation contrary to sections 27 and 39 of the Equality Act 2010 succeeds. The respondent is ordered to pay to the claimant compensation in the sum of £1,500 plus interest in the sum of £163.01.

3 The claimant's claim of wrongful dismissal (unpaid notice pay) succeeds. The respondent is ordered to pay to the claimant damages in the sum of £267 and an uplift of 25% for failure to follow the ACAS Code in the sum of £66.75.

Note: written reasons will not be provided unless requested at the Hearing itself or in writing within 14 days of the sending of the written record of the decision, Rule 62(3).

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4 The claim of a failure to allow the claimant to be accompanied contrary to section 11 of the Employment Relations Act is well founded. The respondent is ordered to pay to the claimant compensation in the sum of £300.

Signed by Employment Judge Harding

Date: 11 March 2019

Note: written reasons will not be provided unless requested at the Hearing itself or in writing within 14 days of the sending of the written record of the decision, Rule 62(3).