



# THE EMPLOYMENT TRIBUNAL

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**SITTING AT:** SOUTHAMPTON

**BEFORE:** EMPLOYMENT JUDGE EMERTON (sitting alone)

**BETWEEN:**

**Ms C Diaconu** **Claimant**

AND

**Engleburn Care Home** **Respondent**

**ON:** 20 January 2020

**APPEARANCES:**

**For the Claimant:** In person  
**For the Respondent:** Was not represented

## **REMEDY JUDGMENT**

**Following Rule 21 liability judgment**  
**(sent to the parties 28 January 2019)**

*The judgment of the tribunal is as follows:*

1. The claim before the tribunal is one of direct race discrimination, because of Romanian nationality, under sections 9 and 13 of the Equality Act 2010.
2. The tribunal declares that the claimant was discriminated against in that:
  - a. Having accepted employment through an agency on the basis that she would receive hotel accommodation, she was instead expected to live in a caravan;
  - b. She was only provided with a few hours of work each week, notwithstanding that she had been led to believe she would receive 50 to 60;
  - c. The respondent encouraged the claimant to resign from the agency and take up direct employment; and

- d. When the claimant resigned from the agency, she was required to leave her accommodation, and to do so with a lack of reasonable notice.
3. The claimant does not seek financial compensation, and none has been ordered.

Employment Judge Emerton

Date: 20 January 2020

Judgment sent to parties: 23 January 2020

FOR THE TRIBUNAL OFFICE

Note

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.