



EMPLOYMENT TRIBUNALS

Claimants: (1) Mr D Suchodolski
(2) Mrs D Suchodolska
(3) Mr S Suchodolski

Respondent: Gower View Foods Ltd

Heard at: Cardiff (hybrid) **On:** 27 & 28 July 2022

Before: Employment Judge C Sharp
Mrs L Thomas
Mr P Pendle

Representation:

Claimants: In person (Polish Interpreter – Ms A Brzezinska)
Respondent: Mr M Cameron (Consultant)

JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The Claimants' claims for direct race discrimination are not well-founded and are dismissed;
2. The Claimants' claims for constructive unfair dismissal are well-founded;
3. The Claimants' claims for unauthorised deduction from wages are well-founded;
4. The Respondent is ordered to pay the following sums to the Claimants:
 - a. To the First Claimant, the gross amount of £1408 for unauthorised deduction from wages, together with 20% ACAS uplift of £281.60;

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- b. To the Second Claimant, the gross amount of £1056 for unauthorised deduction from wages, together with 20% ACAS uplift of £211.20;
 - c. To the Third Claimant, the gross amount of the gross amount of £1408 for unauthorised deduction from wages, together with 20% ACAS uplift of £281.60;
 - d. To the First Claimant, the basic award for constructive unfair dismissal of £3168 (no compensatory award was made);
 - e. To the Second Claimant, the basic award for constructive unfair dismissal of £4750 (no compensatory award was made);
 - f. To the Third Claimant, the basic award for constructive unfair dismissal of £4750 (no compensatory award was made).
5. The Claimants are responsible for accounting to HMRC for any tax or national insurance contributions due on the amounts awarded above.
6. The recoupment provisions apply as per the attached annex.

Employment Judge C Sharp
Dated: 28 July 2022

JUDGMENT SENT TO THE PARTIES ON 1 August 2022

FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.