



EMPLOYMENT TRIBUNALS

Claimant: Ms J Robinson

Respondent: Nourish Contract Catering Limited

Heard by video on: 28 February 2023

Before: Employment Judge Braganza KC

Appearances:

For the Claimant: Mr J Neckles, PTSC Union
For the Respondent: Ms Cashell, Counsel

JUDGMENT

1. The claims for unauthorised deduction from wages under section 13 of the Employment Rights Act 1996, unlawful detriment under section 12 of the Employment Rights Act 1996, harassment related to race under section 26 of the Equality Act 2020, and direct discrimination on grounds of race and/or disability in withholding sick pay under section 13 of the Equality Act 2010 are dismissed upon withdrawal.
2. The claim for wrongful dismissal succeeds on the Respondent's admission of liability. The remedy to which the Claimant is entitled will be determined at the hearing on 16 May 2023.
3. The claims of direct discrimination on grounds of race and/or disability under section 13 of the Equality Act 2010 and the claim of the Respondent failing to make a reasonable adjustment in not placing the Claimant on the Furlough Scheme under section 20 and 21 of the Equality Act 2010 are struck out under rule 37(1) of Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 as having no reasonable prospect of success.

Employment Judge Braganza KC
Date: 10 April 2023

Note:

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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All judgments and written reasons for the judgments are published online shortly after a copy has been sent to the Claimant(s) and Respondent(s) in a case. They can be found at: www.gov.uk/employment-tribunal-decisions.