



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Berta Vidal

**Respondent:** Therapie (Medical) UK Limited

**Heard at:** London Central Employment Tribunal (by CVP)  
**On:** 25<sup>th</sup>-29<sup>th</sup> September and 2<sup>nd</sup>-5<sup>th</sup> October 2023

**Before:** Employment Judge Singh  
Ms D Keyms  
Mr F Benson

## **Representation**

**Claimant:** In-person

**Respondent:** Mr R Kohanzad (of Counsel)

# JUDGMENT

The unanimous judgment of the Tribunal is as follows:

## **Unlawful deduction from wages**

1. The complaints of unlawful deduction from wages are well-founded and succeed.

## **Failure to pay the National Minimum Wage**

2. The complaint of failure to pay the National Minimum wage is not well-founded and is dismissed.

## **Harassment on the grounds of race**

3. The complaints of harassment on the grounds of race are not well-founded and are dismissed.

## **Direct race discrimination**

4. The complaint of direct race discrimination is not well-founded and is dismissed.

## **Automatic unfair dismissal- whistleblowing**

5. The complaint of automatic unfair dismissal under s103A of the Employment Rights Act 1996 is not well-founded and is dismissed.

**Detriment- whistleblowing**

6. The complaint of detriment for making a protected disclosure, under s.47B of the Employment Rights Act 1996, is not well-founded and is dismissed.

**Automatic unfair dismissal- asserting a statutory right**

7. The complaint of automatic unfair dismissal under s104 of the Employment Rights Act 1996 is well-founded and succeeds.

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Employment Judge **Singh**

06/10/2023

JUDGMENT SENT TO THE PARTIES ON

06/10/2023

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.*