



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs E Joseph

**Respondent:** Limitless Healthcare Services Limited

**Heard:** BY CVP **On:** 11 January 2024  
**Before:** Employment Judge JM Wade

## Appearances

For the claimant: Dr O Taiwo, lay representative  
For the respondent: No attendance

Introduction: The claimant's claim was presented on 8 October 2023, concerning dismissal on 3 October 2023. The allegations include unfair whistleblowing dismissal. The alleged chain of events - payment for work visa sponsorship, travel to the UK, followed by failure to provide work – are circumstances which are not uncommon in this Tribunal – see 1801307 – 23 and others. We discussed today that demand and receipt of fees may come within several different jurisdictions, both civil, criminal and regulatory, and may be pursued through different means. In this Tribunal the claimant had included an application for interim relief, which, through oversight, was not recognised by the Tribunal promptly. When the claimant drew the Tribunal's attention to the application this hearing was arranged. Since then, the claimant sought a Rule 21 judgment as the respondent has not presented a response form or grounds of resistance to the claims. Today there is sufficient material on the file for me to determine a final Rule 21 judgment concerning the money claims, and liability in the remaining allegations with directions for their final determination.

## JUDGMENT

1. The claimant's application for interim relief is dismissed upon withdrawal.
2. The claimant's allegation of unlawful demand and receipt of recruitment fees is dismissed on withdrawal.
3. Pursuant to Rule 21:
  - 3.1. The complaints of unlawful deduction from wages, holiday pay and notice pay succeed. The respondent shall pay to the claimant the following gross sums:
    - 3.1.1. 9086.53 - unlawfully deducted wages between 28 May and 3 October 2023;
    - 3.1.2. £432.69 – one week's notice pay,
    - 3.1.3. £978.54 – 2.26 weeks' holiday pay.
    - 3.1.4. Total payable by the respondent: £10,497.76
  - 3.2. The complaints of unfair dismissal (whistleblowing), race and sex discrimination are well founded and succeed. Remedy will be determined at a hearing subject to separate case management orders.

**Case Number:6002030/2023**

**Employment Judge JM Wade**

**11 January 2024**

Judgment sent to the parties on:

For the Tribunal

Public access to employment tribunal decisions (judgments and reasons for the judgments) are published, in full, online shortly after a copy has been sent to the claimant(s) and respondent(s) in a case. There is a practice direction about the recording of Tribunal hearings accessible by entering "Employment Tribunals Practice Directions" into any well recognised search engine.