



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Mwangi  
**Respondent:** D Monitoring Ltd (1)  
Mr P Salah (2)

**Heard at:** London Central by cloud video platform **On: 5 to 19 February 2024**

**Before:** Employment Judge Nash  
Mr Benson  
Mr Fryer

## Representation

**Claimant:** In person  
**Respondent:** Mr Sands, solicitor

# JUDGMENT

1. The respondents did not directly discriminate against the claimant contrary to s13 Equality Act 2010.
2. The respondents did not harass the claimant related to his race contrary to s13 Equality Act 2010.
3. The tribunal does not have jurisdiction to consider the claim under s13 Employment Rights Act 1996 in respect of salary and commission as it was not presented before expiry of the statutory time limit when was reasonably practicable to do.
4. The respondent did not make unlawful deductions from the claimant's wages contrary to s13 Employment Rights Act 1996 in respect of holiday pay prior to his going on sick leave.

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Employment Judge Nash

Date 16 February 2024

JUDGMENT SENT TO THE PARTIES ON

29 February 2024

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FOR THE TRIBUNAL OFFICE

**Note**

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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Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.