



# EMPLOYMENT TRIBUNALS

**Claimant:**  
Ms K Wiatrak

v

**Respondent:**  
Polskie Delikatesy  
Koziolek Limited

**Heard at:** Reading

**On:** 3, 4 and 5 February 2025

**Before:** Employment Judge Hawksworth  
Mr D Sutton  
Mr D Wharton

**Appearances:**  
**for the claimant:** Ms P Wiatrak (claimant's sister)  
**for the respondent:** Ms J Wrobel (paralegal)  
**Interpreter:** Mrs M Donnelly (Polish speaking)

## JUDGMENT

The unanimous decision of the tribunal is that:

1. The claimant was unfairly dismissed. The complaint of unfair dismissal succeeds.
2. The complaints of direct disability discrimination and for unpaid holiday fail and are dismissed.
3. The respondent must pay the claimant the sum of £5,390.87 made up of:
  - a. Basic award: £1,144.38
  - b. Loss of salary: £3,192.60
  - c. Loss of statutory rights: £500.00
  - d. Acas uplift: £553.89

**Approved by:**  
**Employment Judge Hawksworth**

Date: 5 February 2025

Sent to the parties on: 24 February 2025

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.

**Public access to employment tribunal decisions:**

Subject to rule 49 (privacy), all judgments and written reasons for the judgments are published in full online, shortly after a copy has been sent to the claimant(s) and respondent(s) in the case, at *www.gov.uk/employment-tribunal-decisions*

**Recording and Transcription:**

Please note that if a Tribunal Hearing has been recorded you may request a transcript of the recording, for which a charge is likely to be payable in most but not all circumstances. If a transcript is produced it will not include any oral Judgment or Reasons given at the Hearing. The transcript will not be checked, approved or verified by a Judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>