



# EMPLOYMENT TRIBUNALS

Claimant

v

Respondent

Mr G W Mbuyi

Rail Gourmet UK Limited

Held at Reading

On:16-18 July 2025

Before: Employment Judge Isabel Manley  
Mr D Sagar  
Dr C Whitehouse

## *Appearances*

For the claimant: In person  
For the respondent: Ms J Charalambous, counsel

Interpreter (French) : Mr V Dinganga

## JUDGMENT

- 1 The hearing is now adjourned and will continue by agreement for **two days** on **Monday 6 and Tuesday 7 October 2025** to be heard at Reading Employment Tribunal by **CVP**.
- 2 As all the evidence has been heard, that hearing is for the parties to make submissions, for the tribunal to deliberate and, if possible, to give judgment. An interpreter is required for the adjourned hearing.

## **ORDERS for the adjourned hearing**

- 1 The list of issues is amended as discussed at the hearing and now is as set out below.
- 2 The respondent will send its written submissions to the tribunal and the claimant by **Friday 19 September 2025**.

- 3 If the claimant so wishes, he may respond in writing by **1 October 2025**.  
He may also respond orally at the hearing.

**List of issues** (as amended during the hearing in July)

**1 Unfair dismissal**

- 1.1 Was the reason for the Claimant's dismissal his conduct?
- 1.2 In the circumstances (including the size and administrative resources of the respondent's undertaking), did the respondent act reasonably in treating the claimants conduct as a sufficient reason for dismissing the claimant, in accordance with equity and the substantial merits of the case?
- 1.3 In particular
- a. Did the respondent genuinely believe the claimant to be guilty of misconduct?
  - b. Did the respondent have reasonable grounds for that belief?
  - c. Was that belief based on a reasonable investigation?
  - d. Was the respondent's decision to dismiss the claimant within the range of conduct that a reasonable employer could have adopted?

**2 Race discrimination**

- 2.1 The claimant identifies as Black.
- 2.2 Did the decision of Sylvia Cranley to give the claimant a final written warning, and offer alternative employment other than with Eurostar, on 25 May 2022 amount to less favourable treatment because of the claimant's race?
- 2.3 Did the termination of the claimant's employment on 27 September 2022 amount to less favourable treatment because of the claimant's race?
- 2.4 Were the claims above made in time under s123 Equality Act 2010, taking into account whether there was conduct extending over a period and, if not, whether it is just and equitable to extend time to allow the claims to be determined?

**3 Holiday pay**

- 3.1 Is the claimant entitled to further payments by way of holiday pay (see page 364 of the bundle)?

**4 Other payments**

- 4.1 Is the claimant owed any arrears of pay between 25 May 2022 and 27 September 2022?

Approved by

Employment Judge Isabel Manley

Date 18 August 2025

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JUDGMENT SENT TO THE PARTIES ON

18 August 2025

FOR THE SECRETARY TO THE TRIBUNALS