



EMPLOYMENT TRIBUNALS

Claimant: Mrs Audrey Pereira

Respondent: (1) Wellingtons Antiques Limited
(2) John Michael Wellington

Heard at: Reading Employment Tribunal

On: 2-5 September 2024 (in person), 7 and 22 January 2025
(private deliberations in chambers), 31 January 2025 (by video)

Before: Employment Judge Annand
Ms Telfer
Ms Brown

Representation

Claimant: Mr Van Heck, Counsel
Respondents: Ms Millin, Counsel

CORRECTED JUDGMENT

1. The Claimant's complaint of breach of contract in respect of a commission payment in the amount of £2,000 is well founded and succeeds.
2. The Claimant's complaint of breach of contract in respect of the Respondent's failure to make employer pension contributions between 20 October 2021 and 7 March 2023 is well founded and succeeds.
3. The Claimant's complaint of wrongful dismissal is well founded and succeeds.
4. The Claimant's complaint of direct race discrimination is not well founded and is dismissed.
5. The Claimant's complaint of direct sex discrimination is not well founded and is dismissed.
6. One of the Claimant's complaints of harassment related to sex, namely that in November 2021, the Second Respondent asked the Claimant why she

wanted to work, why she needed to earn money, and asked about her husband, is well founded and succeeds. The remaining complaints of harassment related to sex are not well founded and are dismissed.

7. The Claimant's complaint of harassment related to race is not well founded and is dismissed.
8. Two of the Claimant's complaints of victimisation, namely that (1) in January 2023 she was placed on garden leave, and (2) in March 2023 she was not reinstated from garden leave, are well founded and succeed. The remaining complaints of victimisation are not well founded and are dismissed.
9. The Claimant's claim of automatic unfair dismissal on grounds of having asserted a statutory right is not well founded and is dismissed.
10. The Claimant's claim she was subjected to less favourable treatment on grounds of being a part time worker is not well founded and is dismissed.

Approved by:

Employment Judge Annand

25 February 2025

Corrected on 30 August 2025

JUDGMENT SENT TO THE PARTIES ON

20/3/2025

FOR THE TRIBUNAL OFFICE

Notes

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

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

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 may be payable. 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/>