

EMPLOYMENT TRIBUNALS

Claimant: **Mrs S. Rojna -Przybyl**

Respondent: **The Happy Swim Company LLP**

Heard at: **Newcastle Upon Tyne, by CVP**

On: **19 to 21 October 2026**

Before:

Employment Judge T.R. Smith

Mr. N. Pearse

Mr. K. Smith

Appearances

For the claimant: In person (supported by her husband)

For the respondent: Mr . Mc Hugh (counsel)

Judgement

1.The claimant's complaint that she suffered an unlawful deduction from wages is well-founded and the tribunal declares accordingly. The respondent shall forthwith pay the claimant the agreed sum of **£705.00.**

2.The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended. The respondent shall pay the claimant the agreed sum of **£300.00.**

3.When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant the agreed sum of **£870.00** .

4. The claimant's complaint of direct race discrimination is not well-founded and is dismissed.

Notes

Full oral 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/

Employment Judge T.R. Smith

21 October 2026