



# EMPLOYMENT TRIBUNALS

**BETWEEN**

**Claimant**  
Mr Pietralczyk  
Mrs Pietralczyk

**Respondent**  
Phoenix Healthcare Distribution Ltd

**AND**

**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

**HELD AT** Birmingham

**ON**

23 – 26 October 2017

**EMPLOYMENT JUDGE** Harding

**MEMBERS**

Mr Liburd  
Ms Sheldon

**Representation**

**For the Claimant:** In Person

**For the Respondent:** Ms Beattie, Litigation Manager

**JUDGMENT**

**The unanimous judgment of the tribunal is that:**

1 The claimants claims of direct discrimination because of the protected characteristic of race, direct discrimination because of the protected characteristic of religion and direct discrimination because of the protected characteristic of marriage, contrary to sections 13 and 39(2)(c) and (d) of the Equality Act 2010 fail and are dismissed.

2 The claimants claims of victimisation contrary to sections 27 and 39(4)(d) of the Equality Act 2010 fail and are dismissed.

3 The claimants claims of unlawful deduction from wages contrary to sections 13 and 23 of the Employment Rights Act 1996 fail and are dismissed.

4 The claimants claims of constructive unfair dismissal contrary to sections 94 and 98 of the Employment Rights Act 1996 fail and are dismissed.

Case Numbers:1300317/2017  
1300318/2017

Employment Judge **Harding**

**26 October 2017**

Judgment sent to the parties on

**30 October 2017**

---

FOR THE TRIBUNAL OFFICE