



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms K. Adams

**Respondent:** Ty Gofal Ltd .

**HELD AT/BY:** Wrexham by CVP **on:** 21<sup>st</sup> - 22nd March 2022

**BEFORE:** Employment Judge T. Vincent Ryan  
Mrs J. Beard  
Ms A. Fine

## REPRESENTATION:

**Claimant:** Ms Adams represented herself (a Litigant in Person)

**Respondent:** Mr. N. Gouldson, Solicitor

# JUDGMENT

The unanimous judgment of the Tribunal is:

1. Wages: By the respondent's concession, the respondent made unauthorised deductions for the claimant's wages and shall pay to the claimant 12 hours pay at the rate of £8.91 per hour subject to the usual statutory deductions.
2. Disability: at all material times, from the claimant's 26<sup>th</sup> April 2021 job interview to her 3<sup>rd</sup> June 2021 formal post-termination grievance, the claimant was a disabled person.
3. Harassment related to the protected characteristic of disability:
  - 3.1 The respondent harassed the claimant in relation to the protected characteristic of disability at a meeting on 5<sup>th</sup> May 2021 when, during the course of his employment, a Deputy Manager said to the claimant "you will not get special treatment just because of your mental health".
  - 3.2 The parties agreed a settlement in respect of remedy for the above harassment claim; the remedy hearing is stayed for the terms to be effected by no later than 5<sup>th</sup> April 2022; if neither party applies for the remedy hearing to be restored before 12<sup>th</sup> May 2022 the claimant's claim for a remedy pursuant to the above liability judgment will be dismissed on deemed withdrawal.

3.3 The claimant's other claims of harassment fail and are dismissed.

4 Victimisation:

4.1 The claimant did a protected act when she wrote to the respondent on 8<sup>th</sup> May 2021 in reference to the said meeting of 5<sup>th</sup> May 2021, and when CAB sent a formal grievance letter to the respondent on her behalf on 3<sup>rd</sup> June 2021;

4.2 The respondent did not subject the claimant to any detriment because of her protected acts. The claimant's claim of victimisation fails and is dismissed.

Employment Judge T.V. Ryan

Date: 22.03.22

JUDGMENT SENT TO THE PARTIES ON 23 March 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.