



# EMPLOYMENT TRIBUNALS

## Claimant

Ms Krystyna Sulka

## Respondent

GXO Logistics UK Limited

v

**Heard at:** Cambridge

**On:** 11-13 October and  
19 October, and 22 November 2023

**Before:** Employment Judge L Brown

## Appearances

**For the Claimant:** Mr Pawloski, partner of the Claimant.

**For the Respondent:** Ms Catherine Urqhart, Counsel

**Interpreters:** Mr Miroslaw Szewczyk, Polish Speaking - Day 1.

Ms Piwonska, Polish Speaking – Day 2.

Mr Miroslaw Szewczyk, Polish Speaking – Day 3.

## JUDGMENT

1. The Claim for Constructive Unfair Dismissal contrary to s.98 of the Employment Rights Act ('ERA') 1996 is not well founded and fails.
2. The Claim for Automatic Constructive Unfair Dismissal contrary to s.104 of the ERA 1996 is not well founded and fails.
3. The Claim for Wrongful Dismissal is not well founded and fails.
4. When the proceedings were begun the Respondent was in breach of its duty to provide the Claimant with a Written Statement of Employment Particulars contrary to s.s 11-12 of the ERA and s.38 of the Employment Act 2002. As all other claims failed no award is made. The Claimant did not seek a declaration of what those employment particulars were.

---

Employment Judge L Brown

Date: 30/12/2023

Sent to the parties on: 9/1/2024

N Gotecha

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](http://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/>