



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Jorge Martins

**Respondent:** PixiPixel Limited

## JUDGMENT

1. The following parts of the Claimant's claim are struck out:

The allegations that he was discriminated against because of his race (nationality) contrary to s 6, 13 and 39 of the Equality Act 2020 –direct race discrimination in that

1. **He was less favourably treated because of his race (nationality) by being required to order his own tachograph cards;**
2. **He was less favourably treated because of his race (nationality) by not being given pay rise in March 2019;**
3. **He was less favourably treated because of his race (nationality) by having his training costs recouped from his final pay slip;**

**And**

In respect of his claims for unlawful deductions from wages, contrary to section 13 of the Employment Rights Act 1996

3. **That the deduction of £649.58 from his final pay slip in respect of training costs was an unlawful deduction;**
  5. **that the failure to pay full pay instead of SSP following a period of 2 weeks sickness absence was an unlawful deduction from his wages.**
2. The remaining issue to be determined by the tribunal is the Claimant's complaint that he was less favourably treated because of his race by being paid SSP during his period of illness from 17 June 2019 until his effective date of termination.

# REASONS

1. The Claimant was ordered to pay a deposit of **£50.00** following a preliminary hearing held on **16 March 2020**. The Order was sent to the Claimant on **8 April 2020**. The Claimant has failed to pay this deposit. The complaint of direct race discrimination in that

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**And**

the claims for unlawful deductions from wages, contrary to section 13 of the Employment Rights Act 1996

4. **That the deduction of £649.58 from his final pay slip in respect of training costs was an unlawful deduction;**
5. **that the failure to pay full pay instead of SSP following a period of 2 weeks sickness absence was an unlawful deduction from his wages.**

are therefore struck out under rule 39(4) of the **Employment Tribunals Rules of Procedure 2013**.

2. A hearing date will be notified to the parties in due course.

Employment Judge **Lewis**  
Date: 6 July 2020