



# EMPLOYMENT TRIBUNALS

**Claimant** C Lapugean

**Respondent:** MacSupport Systems Limited

**HELD AT:** Sheffield

**ON:** 10 October 2018

**BEFORE:** Employment Judge Brain

## REPRESENTATION:

**Claimant:** Mr J Crosfill, counsel

**Respondent:** No attendance or representation

## JUDGMENT AT PRELIMINARY HEARING

The Judgment of the Employment Tribunal is that:

1. At all material times the claimant was an employee of the respondent within the meaning of section 230(1) and (2) of the Employment Rights Act 1996. Accordingly, the Employment Tribunal has jurisdiction to consider the claimant's complaints brought under the 1996 Act:
  - 1.1. Of unfair dismissal.
  - 1.2. That there was a failure by the respondent to give to the claimant a statement of initial employment particulars.
  - 1.3. That the respondent made an unlawful deduction from his wages.
2. The claimant is a worker for the purposes of the Working Time Regulations 1998. Accordingly, the Tribunal has jurisdiction to consider the claimant's holiday pay claim.

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Employment Judge Brain  
Date 18/10/2018

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 or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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