



EMPLOYMENT TRIBUNALS

Claimant: Mr J Richardson

Respondent: Westlakes Plastering Contractors Limited

Heard at: Carlisle

On:

7 January 2019

Before: Employment Judge Morris (sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Mr P Cunningham, Consultant

JUDGMENT

The judgment of the Tribunal is as follows:

1. The claimant was not an employee of the respondent as that term is defined in section 230(1) of the Employment Rights Act 1996, in that he did not enter into or work for the respondent under a contract of employment (meaning a contract of service or apprenticeship); neither was he a “worker” as that term is defined in section 230(3) of the that Act.
2. In these circumstances the claimant does not have the status to present a complaint to the Employment Tribunal under section 23 of that Act to the effect that the respondent made an unauthorised deduction from his wages, or to present a contract claim under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 in respect of either the alleged non-payment of wages due to him or the alleged failure on the part of the respondent to give him due notice to terminate a contract of employment.

Employment Judge Morris

Date: 10 January 2019

JUDGMENT SENT TO THE PARTIES ON

18 January 2019

FOR THE TRIBUNAL OFFICE

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.