



Case Number:1304588/2017

EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr J Hunt

-v-

**Premier Group Holdings (UK) Ltd trading as
The Limes Country Lodge Hotel**

OPEN PRELIMINARY HEARING

Heard at: **Centre City Tower, Birmingham**

On: **28 September &
1 October 2018**

Before: **Employment Judge Perry** (sitting alone)

Appearances

For the Claimant:

in person

For the Respondent:

Mr P Keith (Counsel)

JUDGMENT

1. The claimant was an employee of the respondent from February 2016 until August 2017. Thereafter, the claimant's terms of engagement were varied and he was a selfemployed contractor.
2. The respondent concedes the claimant was a person with a disability within the meaning of s.6 Equality Act 2010 at the relevant time.
3. One of my findings in relation to the status issue was that the claimant was paid a set sum each month prior to August 2017 incorporating all sums due for work done including commission. Accordingly, given the tribunal does not have jurisdiction to hear any claims for wages, breach of contract in relation to the period he was a selfemployed contractor and his monthly pay included any commission prior to that point it follows the claimant's claim for commission is dismissed in its entirety.
4. The date the variation referred to in (1) occurred along with the remaining preliminary issues namely, timing points, strike out, deposit and clarification of the claims pursued will be addressed at a further open preliminary hearing to be heard before me on 12 & 13 November 2018. I have issued a separate case management order in that regard.

Employment Judge Perry
2 October 2018

