



# EMPLOYMENT TRIBUNALS

BETWEEN

**Mr T Smyth (1) AND Gee and Company (Effluent Control and Recovery) Limited (1)**

**Mr W Matthews (2) Secretary of State for Business Energy and Industrial Strategy (2)**

**HELD AT Birmingham ON 26 April 2019**

**EMPLOYMENT JUDGE Self**

**Representation**

**For the Claimants: In Person**

**For the First Respondent: No Attendance**

**For the Second Respondent: Mr J Hunter – Lay Representative**

## **JUDGMENT**

Neither of the Claimants were employees or workers as defined under section 230 of the Employment Rights Act 1996 and accordingly their claims for unlawful deductions of wages pursuant to section 13 of the ERA fails.

**Employment Judge Self**  
Dated: 26 April 2019