



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4117253/2018

Hearing held in Glasgow at 10am on 31st January 2019

Employment Judge M Whitcombe

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Mr M Salamaj

Claimant
In person

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Thusa Holdings Limited

Respondent
Did not attend

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JUDGMENT

The judgment of the Tribunal is as follows.

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(1) The claimant was employed by the respondent. As an employee, the claimant was therefore also the respondent's worker for statutory purposes.

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(2) This hearing is converted under rule 48 of the ET Rules of Procedure 2013 from a preliminary hearing on the issue of employment status to a final hearing of all claims and issues. I was satisfied that the respondent was not materially prejudiced by that conversion given that the only basis on which the claim was defended was a denial of employee/worker status, and because the respondent has not participated in proceedings or responded to communications since filing its very brief response.

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(3) The following claims are well-founded, and I order the respondent to pay compensation to the claimant accordingly:

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- a. Notice pay of £510 (gross);
 - b. Holiday pay of £969 (gross);
 - c. Arrears of pay of £4,630.98 (net).

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(4) The claims for unpaid travel time and interest are not well-founded and are dismissed.

(5) The respondent failed to provide the claimant with a written statement of terms and conditions of his employment. The respondent is therefore ordered to pay compensation to the claimant representing two weeks' pay at the capped weekly rate of £508, totalling £1,016 (gross).

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Employment Judge: M Whitcombe
Date of Judgment: 31st January 2019
Entered in register: 31st January 2019
and copied to parties