



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Przemyslaw Kawczynski

**Respondent:** Winner Recruitment (Birmingham) Ltd

**Heard at:** Birmingham

**On:** 9 October 2019

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

## **Appearances**

For the claimant: Mr T Gracka, consultant

For the respondent: Mr C Breen, counsel

## **JUDGMENT**

1. This hearing had been listed to consider two issues:
  - (i) The claimant's status (employee, self employed or worker).
  - (ii) Whether the claimant was a disabled person.
2. It quickly became apparent that there would be insufficient time to deal with both issues within the time estimate of one day. With the agreement of the parties I decided to deal with the first issue only.
3. I found as follows. The claimant had worker status. He was not self employed and he was not an employee.
4. Again with the agreement of the parties I decided that it was appropriate for there to be a further preliminary hearing to determine the outstanding issue – i.e. whether the claimant was a disabled person within the meaning of s.6 of the Equality Act 2010.
5. There shall be a preliminary hearing to determine that issue on 30<sup>th</sup> April 2020 at 10 am (time estimate one day).

6. The parties agreed that no further directions are needed as they had prepared to deal with the disability issue today.

Employment Judge Meichen  
15 October 2019

Reasons for the judgement 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.