



EMPLOYMENT TRIBUNALS

Claimants: Mr D Cunliffe
Mr O Agusta
Mr S Gaughan

Respondent: Morris Homes North Limited

Heard at: Manchester

On: 27 September 2019
and (remotely by CVP) on
22 June 2020

Before: Employment Judge Leach

Representation

Claimant: Mr T Gilbart (counsel)
Respondent: Miss L Bone (counsel)

JUDGMENT

1. The claimants were engaged by the respondent as workers for the purposes of Section 230(3) of the Employment Rights Act 1996 and Regulation 2(1) of the Working Time Regulations 1998.
2. The claimants were not employees of the respondent for the purposes of Section 230(1) of the Employment Rights Act 1996.
3. The claims of unfair dismissal and breach of contract (wrongful dismissal) made by Mr Cunliffe (under claim number 2404576/19) and Mr Agusta (under claim number 2404577/19) are dismissed and the claim of breach of contract (wrongful dismissal) made by Mr Gaughan (under claim number 2404578/19) is dismissed.
4. All other claims continue.

Employment Judge Leach
Date 23 June 2020

**Case No: 2404576/19
2404577/19
2404578/19**

JUDGMENT SENT TO THE PARTIES ON
29 June 2020

Notes

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.

[JE]