



EMPLOYMENT TRIBUNALS

Claimant: Mr Thomas Kamm

Respondent: Promohire Limited

Heard at: London South Tribunal **On:** 2nd June 2021 **by:** CVP

Before: Employment Judge Clarke (sitting alone)

Representation

Claimant: Mr Kamm (in person)

Respondent: Gary Parker

Open Preliminary Hearing held on 2nd June 2021 at London South Employment Tribunal

Following the Respondent's failure to file a response, an open preliminary hearing was listed on 2nd June 2021 for consideration as to the Claimant's status.

The Tribunal received oral evidence, documentary evidence and submissions from the Claimant.

The Respondent attended the hearing and was provided with an opportunity to make submissions on the Claimant's evidence.

JUDGMENT

- (1) The Claimant was not a "worker" under s.230 of the Employment Rights Act.
- (2) The Claimant's claim that the Respondent had made an unlawful deduction from his wages pursuant to section 13(1) of the Employment Rights Act is unfounded. This means that his claim is dismissed.

Employment Judge L Clarke

Date: 9th June 2021

The reasons for this decision were given orally at the hearing. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of this written judgment being sent to the parties.

Public access to employment tribunal decisions

Note that both 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 parties.