



EMPLOYMENT TRIBUNALS

Claimant: Mr Hedayatullah

Respondent: Uber Britannia Ltd

Heard at: Southampton (by VHS) **On:** 28 July 2022

Before: Employment Judge Scott

Representation

Claimant: In Person

Respondent: Ms Davis of Counsel

JUDGMENT

1. The name of the Respondent is amended to 'Uber Britannia Ltd'.
2. The Claimant's application to amend his grounds to include a claim of indirect discrimination against the Respondent is refused.
3. The preliminary issues identified within the Tribunal's letter of 30 June 2022 and the Respondent's letter of 27 June 2022 are resolved as follows:
 - a. The Claimant was not an employee of the Respondent within the meaning of s230 (1) or (2) of the Employment Rights Act 1996.
 - b. The Claimant is a worker in accordance with s230 (3) of the Employment Rights Act 1996 and in line with the decision in *Uber B.V & Others V Aslam & Others [2021] UKSC 5*.
 - c. Accordingly, the Tribunal does not have jurisdiction to consider the Claimant's claim for unfair dismissal under s94 of the Employment Rights Act 1996 and the claim is struck out.
 - d.

Employment Judge **Scott**
Date: 28/07/22

JUDGMENT SENT TO THE PARTIES ON
09 August 2022 By MR J McCormick

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be

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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.

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