



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss Catherine Buckley

v

KMP Yoga Ltd t/a The Hot Spot Yoga

Heard at: London Central (by video)

On: 19 & 20 December 2022

Before: Employment Judge P Klimov (sitting alone)

Representation:

For the Claimant: in person

For the Respondent: Mr E McFarlane, employment consultant

JUDGMENT

1. The claimant was not an employee of the respondent within the meaning of section 230(1) of the Employment Rights Act 1996 (“**ERA**”).
2. The claimant’s claim for unfair dismissal is dismissed for lack of jurisdiction.
3. The claimant was a worker of the respondent within the meaning of section 230(3)(b) ERA, and was in employment of the respondent within the meaning of s.83(2)(a) of the Equality Act 2010 (“**EqA**”).
4. The claimant’s claims under EqA shall proceed to the final hearing.
5. At the relevant times the claimant had a disability within the meaning of s.6 EqA by reason of post-traumatic stress disorder (PTSD).

6. At the relevant times the claimant did not have a disability within the meaning of s.6 EqA by reason of temporomandibular joint (TMJ) dislocation.

Employment Judge Klimov

20 December 2022

Sent to the parties on:

.20/12/2022

For the Tribunals Office

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.