



EMPLOYMENT TRIBUNALS

Claimant: Ms X Yang

Respondent: K Traveling Limited

Heard at: Reading ET (in public via CVP)

On: 6 April 2023

Before: Employment Judge Hanning

Appearances

For the Claimant: Ms Yang (in person)

For the Respondent: Mr Dhorajiwala (Counsel)

JUDGMENT

The Open Preliminary Hearing had been listed to determine (1) whether the claimant had been an employee or worker of the respondent and (2) whether the claimant was bringing claims which the Employment Tribunal could decide.

The decision of the Employment Judge is:

- 1) The claimant was an employee of the respondent.
- 2) The claimant's only claim before the Tribunal was for a payment said to be due to her under the terms of a 'Shareholding Agreement' between her and K Education Company. As K Education Company was not her employer at any time it this was not a claim which the Employment Tribunal could decide.
- 3) Accordingly the Employment Tribunal has no jurisdiction to determine the claimant's complaint and the claim is dismissed.

Employment Judge

Date: 6 April 2023

Sent to the parties on: 14.5.2023

GDJ
For the Tribunal Office

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.

Note

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.