



EMPLOYMENT TRIBUNALS

Claimant

Vilma Venciuviene

Respondent

v The Queen Elizabeth Hospital King's
Lynn NHS Foundation Trust

Heard at: Cambridge

On: 17 May 2023

Before: Employment Judge L Brown

Appearances

For the Claimants: In person

For the Respondent: Mr T Sheppard, Counsel

JUDGMENT on PRELIMINARY ISSUE

1. The Tribunal determines that the Claimant was not an employee of the Respondent but instead was engaged by it as a 'limb (b) worker', namely a worker within the meaning in s.230(2)(b) of the Employment Rights Act 1996.
2. In the circumstances, the Tribunal has no jurisdiction to consider the Claimant's claims of Unfair Dismissal, for a Redundancy Payment, or for Breach of Contract in relation to the failure to pay notice pay, since she is not entitled to bring them if she was not an employee.
3. The claims are therefore dismissed.

24 May 2023

Employment Judge L Brown

Sent to the parties on: 11 June 2023

GDJ
For the Tribunal Office