



EMPLOYMENT TRIBUNALS

Claimant: Ms. B. Ujvari

Respondents: (1) Sentinel Employment Limited
(2) Apple Europe Limited

Heard at: London Central (by CVP) **On:** 20, 21, 22, 23 & 24 November 2023

Before: Employment Judge J Galbraith-Marten
Ms. S. Aslett
Mr. T. Ashby

Appearances

For the Claimant: In person

For the Respondents: (1) Mr. L. Fakunle, Solicitor
(2) Mr. C. Kelly, Counsel

JUDGMENT

The unanimous Judgment of the Tribunal is as follows:

- 1. The complaint of unlawful deduction of wages against the first respondent is not well founded and is dismissed.**
- 2. The complaint that the first respondent failed to pay the claimant for accrued but untaken holiday in accordance with Regulation 14 Working Time Regulations 1998 is not well founded and is dismissed.**

3. The complaint that the first respondent refused to permit the claimant to exercise the right to paid annual leave in accordance with regulation 16 of the Working Time Regulations 1998 is well founded and the first respondent is ordered to pay the claimant the sum of £244.78 less tax and national insurance.
4. The complaint of automatic unfair dismissal for asserting a statutory right contrary to s.104 Employment Rights Act 1996 against the first respondent is dismissed as the Tribunal does not have jurisdiction to determine it as the claimant was not an employee of the first respondent.
5. The complaint of automatic unfair dismissal for making a protected disclosure contrary to s.103A Employment Rights Act 1996 against the first respondent is dismissed as the Tribunal does not have jurisdiction to determine it as the claimant was not an employee of the first respondent.
6. The complaint of being subjected to a detriment for making protected disclosures contrary to s.47B Employment Rights Act 1996 against the first respondent is not well founded and is dismissed.
7. The complaint of being subjected to a detriment in respect of working time contrary to s.45A Employment Rights Act 1996 by the first respondent is not well founded and is dismissed.
8. The complaint against the first and second respondent that they each breached regulation 5 of the Agency Worker Regulations 2010 are not well founded and dismissed.
9. The complaints against the first and second respondent that they each subjected the claimant to a detriment contrary to Regulation 17 Agency Worker Regulations 2010 are not well founded and dismissed.
10. The complaint against the first respondent that it dismissed the claimant contrary to Regulation 17 Agency Worker Regulations 2010 is dismissed as the Tribunal does not have jurisdiction to determine it as the claimant was not an employee of the first respondent.

Employment Judge J. Galbraith-Marten

Date 24 November 2023

JUDGMENT SENT TO THE PARTIES ON

27/11/2023

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Note

Written reasons will not be provided unless 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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