



EMPLOYMENT TRIBUNALS

Claimant: Mr T Nagra

Respondent: Supply Chain Coordination Limited (1)
Unipart Group Limited (2)

Heard at: Birmingham Employment Tribunal remotely by video **On:** 11.08.2023.

Before: Judge L Mensah

Representation

Claimant: In person
Respondent: Mr Webster (Counsel) for R (1)
Mr Willey (Solicitor) for R (2)

Observing: Mr Jake Colbourne (para-legal)
Mr Andrew Jones (Business Partner) R (2)
Ms Abigail Hunt (Solicitor) R (1)

Witnesses

Mr Paul Webster (Executive Director for Governance, Assurance and Legal for R 1)
Ms Helen Timpson, (Customer Services & Home Delivery Director for R2)

JUDGMENT

1. The Tribunal decided,

- (i) The Unfair Dismissal claim/s as against the First Respondent is not well founded and is dismissed. The Claimant was not an employee of the First Respondent at any time.
- (ii) All claims for direct sex discrimination/harassment and equal pay discrimination under the Equality Act 2010 against the First Respondent are not well founded and are dismissed because,

(i) The Claimant was not an employee, under a contract of apprenticeship or a contract personally to do any work for the First Respondent as required by Section 83((2)(a) Equality act 2010 and,

(ii) The First Respondent were not a Principal as required by section 41(5) Equality Act 2010, as they did not make work available to the Claimant and the Claimant has not shown he was employed by another or that he was supplied by them as an employee in furtherance of a contract to which the First Respondent was a party (whether or not the employer is a party). There being no employer on the facts.

2. By virtue of the above,

(i) All claims against the Second Respondent, as alleged agent for the First Respondent are not well founded and are dismissed because the Claimant has not shown the Second Respondent were acting as agents for the First Respondent, and he does not plead any claim against the Second Respondent as a contract worker because he denies any contract with the agency through whom he was assigned, or that he was employed by that agency or the Second Respondent.

3. As a result of those findings no claims survive against the First or Second Respondent under the case numbers identified above and all those claim/s are dismissed.

Employment Judge **Mensah**

Date 11.08.2023

¹ 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.

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