



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Gijare

**Respondent:** Ent Serv UK Limited

**Heard at:** Bury St Edmunds (by CVP)

**On:** 1 May & 21 June 2024

**Before:** Employment Judge Emery

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr F Mortin (counsel)

## PRELIMINARY HEARING IN PUBLIC JUDGMENT

The judgment of the Tribunal is as follows:

1. The claimant was not an employee of the respondent at the relevant time. The claim of unfair dismissal is therefore dismissed because the Tribunal does not have jurisdiction to determine it.
2. The claimant was a contract worker of the respondent within the meaning of section 41 of the Equality Act 2010 at the relevant time. The claim of race discrimination against the respondent can therefore proceed.
3. The respondent's applications - that the claims of race discrimination be struck-out or that a deposit be ordered to be paid - fail and are dismissed.

Case number: 3310847/2023

**Employment Judge Emery  
12 August 2024**

Judgment sent to the parties on:  
20 August 2024

For the Tribunal:

**Note**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

**Public access to employment tribunal decisions**

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.