



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss D Gray

**Respondent:** Active Lifestyle Limited (1)  
TD Lifestyle PLC (in liquidation) (2)  
UFC Gym UK (3)  
TD Lifestyle 1802 Limited (in liquidation) (4)

## JUDGMENT

The Claimant's application dated 14 July 2023 for reconsideration of the judgment sent to the parties on 10 June 2023 is granted and the judgment is revoked. It is in the interests of justice to reconsider the judgment.

## REASONS

1. The Claimant submitted her claim to the Tribunal on 26 January 2023 against the above named four respondents. She was acting as a litigant in person. She indicated in her claim form that she undertook work on behalf of all of the respondents which companies were part of a group of companies running gyms. The Claimant was head of marketing and advertising using her skills on behalf of all of the respondents.
2. None of the respondents submitted a response to her claims for unfair dismissal, a redundancy payment, unpaid wages, holiday pay, notice pay and certain other payments.
3. The Claimant did not go into detail in her claim form as to what work she undertook for the respondents, who gave her instructions and approved her work before it was published.
4. The Claimant could only indicate that she was paid through the first respondent and her pay slips confirmed this as did her contract of employment.
5. Before me today, the Claimant produced a witness statement of 28 pages giving details of the work she carried out for each of the respondents. Of more relevance, however, was to whom she reported, who gave her instructions as to what work needed to be done and who approved it. It is abundantly clear, now I have had sight of this statement, that all of the Claimant's work was directed by

the Board of Directors of the second respondent TD Lifestyle PLC which is now in liquidation. All elements of control of her work lay with that respondent.

6. Accordingly, notwithstanding the fact that she was paid by the first respondent, I now find that she was employed by the second respondent.

7. As the Claimant has complied with her obligations to give notice of her application for reconsideration and I am satisfied all respondents received notice of this hearing but did not attend, I revoke the judgment sent to the parties on 10 June 2023 and give judgment against the second respondent.

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Employment Judge **Butler**

Date 5 September 2024  
JUDGMENT SENT TO THE PARTIES ON  
.....10 September 2024.....

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FOR THE TRIBUNAL OFFICE