



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Doris

**Respondent:** Royal Mail Group Limited (R1)  
Gi Group Recruitment Limited (R2)  
Angard Staffing Solutions Limited (R3)  
Manpower UK Ltd (R4)

**Heard at:** Watford Employment Tribunal  
(In Public; In Person and By Video)

**On:** **2 August 2024**

**Before:** Employment Judge Quill (in the hearing room)

## Appearances

For the Claimant: In Person (in the hearing room)  
For R1 and R3: Ms Z Tahir, solicitor (by video)  
For R2: Ms D Cheal, solicitor (by video)  
For R4: No appearance and no representation

# JUDGMENT ON PRELIMINARY ISSUES

1. All claims against R4 are dismissed on withdrawal and it is therefore not necessary for me to decide paragraphs 1.1.2 and 1.2.2 of the list of preliminary issues.
2. In relation to paragraphs 1.1.1 and 1.2.1 of the list of preliminary issues, the Claimant was an “employee” of R3 [applying the definitions in section 230 of the Employment Rights Act 1996 (“ERA”)] from 6 March 2019 until a date that was no earlier than early April 2020 and no later than 23 June 2020.
3. In relation to paragraph 1.3 of the list of preliminary issues, between those

same dates (as a minimum), the Claimant was an employee of R3's within the meaning of section 83 of the Equality Act 2010 ("EQA"). A final decision about the exact dates of "employment" within section 83 EQA was not one of the preliminary issues to be decided today, but the period in question (for section 83 EQA) is not shorter than the period for which the Claimant was an "employee" within the ERA definitions.

4. In relation to paragraph 1.4.1 of the list of preliminary issues, there was no contract, express or implied, between the Claimant and R1 at the relevant dates. It therefore follows that the Claimant was not a "worker" of R1's at the relevant dates. There was no contract falling within either "limb A" or "limb B" of section 230(3) ERA.
5. The preliminary issues to be decided today did not include: "*Was the claimant an employee of the first respondent within the meaning of section 83 of the Equality Act 2010?*". Strictly speaking, therefore, that question has not been decided as a preliminary issue. However, my decision that there was no contract at all between the Claimant and R1 (which had to be determined to deal with preliminary issue 1.4.1) is intended to be final (subject to reconsideration or appeal), and is therefore likely to be found to be determinative of the section 83 EQA issue too.
6. In relation to paragraph 1.4.2 of the list of preliminary issues, the relationship between the Claimant and R2 is such that the Claimant was a "worker", within the meaning of section 230 ERA. The preliminary issues did not require me to decide start and finish dates, or to decide which of "Limb A" or "Limb B" of section 230(3) ERA the contract fell into (provided it was covered by one of them, which it was).
7. For avoidance of doubt, no decisions have been made about whether any of the parties fall within any of the definitions in section 41 EQA, or about whether the Claimant is a "worker" within the expanded definition in section 43K ERA (or whether R1 was the Claimant's "employer" within the expanded definition in section 43K ERA).
8. The following claims are dismissed because of employment status:
  - 8.1. Any claim against R1 for unauthorised deduction from wages, or holiday pay, or unfair dismissal.
  - 8.2. For avoidance of doubt, the claim identified at item 6.1.6 of list of issues, as a detriment claim, is not dismissed.
9. The Claimant alleges unauthorised deduction from wages by R2 for the period April 2023 to July 2023. The alleged deductions in that period form part of a series of alleged deductions which continued until after 20 June 2023. The complaint for that series of deductions is in time.
10. All complaints of alleged deductions prior to that alleged series did not form part of the same series of deductions. The latest date to present a claim for those earlier alleged deductions was 30 November 2022.

11. It would have been reasonably practicable to present a claim by 30 November 2022 and the claim alleging deductions up to 31 August 2022 (or any other alleged deductions prior to April 2023) is therefore out of time, and the Tribunal does not have jurisdiction.
12. As a result of the decision on time limits, the following complaints are dismissed.
  - 12.1. Any claim against R3 (or R1) for unauthorised deduction from wages, including holiday pay.
  - 12.2. Any claim against R2 for unauthorised deduction from wages, other than the alleged non-payment for April 2023 to July 2023.
  - 12.3. Any claim against R2 for holiday pay, other than for payment in lieu of holiday on termination.

## **Employment Judge Quill**

Date: 5 August 2024

JUDGMENT SENT TO THE PARTIES ON  
3 OCTOBER 2024  
FOR THE TRIBUNAL OFFICE

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