



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs A Bjornsdottir

**Respondent (2):** Teana London Limited

**Heard at:** London South Employment Tribunal, Croydon (by video)

**On:** 8 November 2024

**Before:** Employment Judge Abbott (sitting alone)

## Representation

Claimant: representing herself

Respondent (2): no appearance

# JUDGMENT

## *On the preliminary issues as ordered by EJ Corrigan*

1. The claimant is a “worker” of the second respondent for the purposes of section 230 Employment Rights Act 1996.
2. The claimant is not an “employee” of the second respondent for the purposes of section 230 Employment Rights Act 1996.

## ***Pursuant to Rule 21 of the Employment Tribunals Rules of Procedure 2013***

3. The second respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim in accordance with rule 21 of the Rules of Procedure.
4. The second respondent has failed to pay the claimant’s holiday entitlement and must pay the claimant £1,791.04 (equating to 16 days’ pay<sup>1</sup>).
5. The second respondent failed in its duty under section 1(1) Employment Rights Act 1996 and, pursuant to section 38(3) Employment Act 2002, must pay the claimant £2,238.80 (equating to 4 weeks’ pay<sup>2</sup>).
6. The second respondent must pay the claimant **£4,029.84** in total.
7. The claim for breach of contract in respect of notice pay fails, as the claimant

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<sup>1</sup> One days’ pay being calculated as £111.94 based on an average of 7.46 hours worked per day at £15 per hour across the invoices submitted by the claimant.

<sup>2</sup> Calculated on the same basis as above.

is not entitled to bring that claim in this Tribunal.

***Pursuant to Rule 52 of the Employment Tribunals Rules of Procedure 2013***

8. The claims brought under the Equality Act 2010 (so far as against the second respondent) are dismissed upon withdrawal.

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Employment Judge Abbott  
Date: 8 November 2024

Sent to the parties on  
Date: 11 November 2024

**Notes**

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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**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>