



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4104161/2023

Hearing held remotely by CVP at Glasgow on 16 January 2024

Employment Judge D Hoey

Mr Kolade Amujo

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Claimant
Represented by:
Himself

Genie Invest Ltd

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Respondent
Represented by:
Mr L Menghini
Director

JUDGMENT

25 The claim against the respondent is dismissed, the claimant not having satisfied the Tribunal that the respondent was liable for the sums sought.

REASONS

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1. The claimant lodged a claim for outstanding wages on 31 July 2023. The claimant alleged no wages had been paid for the period the claimant had worked for the respondent, which amounted to a few months. He had lodged papers showing a contract that bore the respondent's name and some WhatsApp messages that had used the respondent's director's name.

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2. The respondent alleged their details had been used fraudulently as they did not employ any staff and had no knowledge of the claimant. The respondent said they did not engage in the work the claimant had carried out and they had no contact with or engagement of the claimant.

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3. The claimant had produced documents which appeared to relate to the respondent. The documents were, however, unusual. For example the applicable law was said to be the "law of the state of west Yorkshire" and stated that payment would be paid on the 30th of each month.
4. At the hearing today the claimant said he had found the job on an internet search and dealt with whom he considered the respondent remotely. The claimant had no cause to believe the information he was given was wrong and the claimant assumed the entity with whom he was contracting was the respondent.
5. The claimant never met with the respondent's director nor spoke with him or saw him. All communications were by email or via WhatsApp. The email address the claimant was given was not the email address of the respondent. The mobile number used by the entity purporting to be the respondent was not that used by the respondent.
6. The claimant carried out work remotely and submitted reports in respect of the work he had undertaken. He received no payment for the work done.
7. The Tribunal was satisfied the information the claimant had was not information that the respondent had issued. The paperwork the claimant had produced was not prepared by the respondent. Someone had used the respondent's details and created a company seal that used information that was in the public domain, the companies house registration number of the respondent and its name and registered address.
8. The respondent engaged no staff and was not involved at all in the type of activity that the claimant had undertaken. The respondent is an investment vehicle with no clients or staff. The respondent had produced information showing this (from companies house).
9. The Tribunal was satisfied that the respondent was not the entity that had engaged the claimant nor the entity for whom the claimant had provided services. It had not been the respondent who had procured the claimant's services nor engaged with the claimant. The respondent was not therefore liable to pay the claimant for the sums sought.
10. The claimant said he had been to the police who had told him to contact the citizens advice bureau who had advised the claimant to raise matters with the Employment Tribunal. The respondent was also concerned about what had happened and was going to raise matters with the police. Both parties said they would provide the police with a copy of this short judgment, supporting the position that a third party has used the details of the respondent to secure the services of the claimant without payment. The respondent was obviously concerned there could be repetition of this. The claimant was obviously

concerned that the person for whom he had carried out work was due to pay him for the work done and he was seeking payment for the work done.

5 11. The claim against the respondent is dismissed, the respondent not having been shown to be the entity with whom the claimant in fact contracted and for whom the claimant in fact worked.

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**Employment Judge: D Hoey
Date of Judgment: 16 January 2024
Entered in register: 18 January 2024
and copied to parties**