



EMPLOYMENT TRIBUNALS

London South Employment Tribunal
7th February 2025 (video)

Claimant: Bernadett Bak

Respondent: Language Bank Ltd

Full merits hearing

Before: Judge M Aspinall (sitting alone as an Employment Judge)

Appearances: Mrs B Bak in person
No appearance for the respondent

JUDGMENT

The claims for unpaid wages/unlawful deductions from wages are dismissed for lack of jurisdiction and because they were brought out of time in any event.

Reasons

1. At the outset of these proceedings, evidence emerged that the claimant, Mrs Bernadett Bak, was not an employee of the respondent, Language Bank Ltd. Rather, she provided services to them as a self-employed contractor between 2012-2016 and again from 2020.
2. As a self-employed individual who was effectively billing (via completed timesheets) for services rendered, Mrs Bak did not have an employment relationship with Language Bank Ltd that could give rise to claims for unpaid wages under the jurisdiction of the Employment Tribunal.
3. Her claim concerns an alleged failure to pay invoiced amounts for contract work carried out. This is a commercial dispute between two business entities over payments due, not an employment matter.
4. Accordingly, Mrs Bak's unlawful deduction claim is dismissed for lack of jurisdiction, as it does not relate to an employment dispute that can be adjudicated by this tribunal. This is a matter properly to be pursued through the small claims/county court process.
5. Even if the tribunal did have jurisdiction (which it does not), Mrs Bak's claim was presented over 255 days out of statutory time limits. She provided no reasonable justification or evidence that it was not reasonably practicable to present the claim within the 3-month time limit expiring on 29 December 2023. On this basis too, the extremely delayed claim would be dismissed.

APPROVED JUDGMENT

**Judge M Aspinall
7 February 2025**

12 March 2025

Sent to Parties.

Written reasons

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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