



EMPLOYMENT TRIBUNALS

Claimant: Jolita Valeikaite

Respondent: Myles Bunyard

Heard at: London Central

On: 13 March 2025

Before: Employment Judge Bunting

Appearances

For the Claimant: In person

For the Respondent: No attendance

JUDGMENT

The Judgment of the Tribunal is that :

1. The claimant was not employed by the respondent at the relevant time, and therefore her claim for unpaid wages must fail.

REASONS

1. The claimant was employed by 'French Sole Ltd' (company number – 10701411) on 20 September 2022.
2. That company changed its name on 10 January 2024 to 'FS (Maddox) Ltd'. Although the claimant continued to receive payslips in the name of French Sole Ltd, I find that she remained employed by the same legal entity as before which was now named FS (Maddox) Ltd. Later, a company was created which was given the name French

Sole Limited, but this was a different legal entity and was not the Claimant's employer.

3. The claimant was underpaid in the following months :
 - February 2024 – £1,153 (was paid £1,520 but owed £2,673)
 - March 2024 – £2,063 (not paid anything)
 - April 2024 - £1,600 (not paid anything)

4. It follows that she was owed £4,816.00 by FS (Maddox) Ltd. However, FS (Maddox) Ltd (10701411) was made the subject of a compulsory winding up order, pursuant to s130 Insolvency Act 1986. As such, the claim could not proceed against FS (Maddox) Ltd, and no question of substitution arises.

5. I am aware that the claimant had obtained an ACAS certificate against FS (Maddox) Ltd dated 16 August 2024. She then submitted an ET1 with that, but naming 'French Sole Ltd' as the respondent. That claim was not processed further as FS (Maddox) was insolvent.

6. Whilst Myles Bunyard was the claimant's boss, he was not her employer. I find that she was employed by company number – 10701411, and remained so throughout.

DATE: 13 March 2025

Employment Judge Bunting

Sent to the parties on:
21 March 2025

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For the Tribunal:
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