



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms N McGill

**Respondent:** Mphasis UK Ltd

**Heard at:** London Central Employment Tribunal (By CVP)

**On:** 1 April 2025

**Before:** Employment Judge Keogh

## Appearances

For the claimant: In person

For the respondent: Mr T Goodwin (Counsel)

## JUDGMENT

1. For the reasons given orally in the hearing, the claimant's claims are struck out because:
  - 1.1 The Tribunal does not have jurisdiction to consider the unfair dismissal complaint because the claimant had insufficient service;
  - 1.2 The Tribunal does not have jurisdiction to consider the claimant's remaining complaints in respect of unlawful deductions from wages and discrimination, because the claimant was not an employee or worker of the respondent for the purposes of section 230(3) Employment Rights Act 1996 or section 83(2) Equality Act 2010;
  - 1.3 Further, the claim is an abuse of process because the claimant did not comply with the requirement in section 18A(8) of the Employment Tribunals Act 1996 to obtain an ACAS certificate prior to presenting the claim;
  - 1.4 Further, the Tribunal does not have jurisdiction to hear the claim because it has been brought out of time, and time is not extended;
  - 1.5 Further, the claim has no reasonable prospect of success.

**Employment Judge Keogh**

8 April 2025

JUDGMENT SENT TO THE PARTIES ON

15 April 2025

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FOR THE TRIBUNAL OFFICE