



EMPLOYMENT TRIBUNALS

Claimant: Mr A D Sasu

Respondent: (1) May and Stephens Construction Recruitment Limited
(2) Sandbeck Umbrella Limited

Heard at: Reading **On: 5 May 2017**

Before: Employment Judge Gumbiti-Zimuto

Appearances
For the Claimant: In Person
For the Respondent: Mr T Bourne-Arton (Counsel)

PRELIMINARY HEARING JUDGMENT

1. The correct title of the second respondent is Sandbeck Umbrella Limited and the title of the proceedings is amended accordingly.
2. The claimant's complaints about holiday pay, working hours, loss of statutory rights and loss of earnings are struck out pursuant to rule 37 of the Employment Tribunals Rules of Procedure 2013 because they have no reasonable prospect of success.
3. The claimant is ordered to pay a deposit of £100 as a condition of continuing to advance the allegation that the respondent failed to pay him in respect of overtime.

Listing the hearing

4. The hearing in this claim has been listed with a time allocation of one day. It has been listed at Reading Employment Tribunal, 30/31 Friar Street (***Entrance in Merchants Place***), Reading RG1 1DX to start at 10am or so soon thereafter as possible on **24 October 2017**. The parties are to attend by 9.30 am.

The issues

5. I now record that the issues between the parties which will fall to be determined by the Tribunal are as follows:
 - a. Was the document "Sandbeck Umbrella Contract" signed by the claimant on the 24 July 2016 the claimant contract of employment or a registration document?
 - b. Has the claimant been paid amount to to him in respect of overtime?

ORDERS

Made pursuant to the Employment Tribunal Rules 2013

Disclosure

1. The preliminary hearing bundle contains most if not all the documents relevant to the issues to be decided by the employment tribunal. In so far there remain any documents to be disclosed by either party the parties are to disclose all documents relevant to the issues to be decided in this matter by 16 June 2017. Disclosure is to be carried out by providing copies of documents.

Trial Bundle

2. The respondent is to prepare the trial bundle.
3. The respondent is to provide at least three copies for use at the hearing.
4. The respondent may inform the claimant that the preliminary hearing Bundle is to be the trial bundle so long as any additional documents are provided to the claimant with a revised index.
5. The trial bundle is to be prepared and provided to the claimant (or it may be confirmed that the preliminary hearing bundle is to stand as the trial bundle) by no later than the 14 July 2017.

Witness statements

6. It is ordered that oral evidence in chief will be given by reference to typed witness statements from parties and witnesses.
7. The witness statements must be full, but not repetitive. They must set out all the facts about which a witness intends to tell the Tribunal, relevant to the issues as identified above. They must not include generalisations, argument, hypothesis or irrelevant material.
8. The facts must be set out in numbered paragraphs on numbered pages, in chronological order.
9. If a witness intends to refer to a document, the page number in the bundle must be set out by the reference.

10. It is ordered that witness statements are exchanged to arrive on or before **10 October 2017**.

Employment Judge Gumbiti-Zimuto

Date: 5 May 2017

Sent to the parties on:

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For the Tribunals Office