



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J W Johnson

**Respondent:** Key Care and Support Ltd

**HELD AT:** Manchester

**ON:** 2 October 2018

**BEFORE:** Employment Judge Slater

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr T Wood, counsel

# JUDGMENT

The judgment of the Tribunal is that:

1. The claimant was not an employee within the definition in s.230(1) ERA 1996 so the tribunal does not have jurisdiction to consider the complaint of unfair dismissal, which is dismissed.
2. The claimant was an employee within the definition in s.83(2) Equality Act 2010 when carrying out assignments so the tribunal does have jurisdiction to consider the complaint of race discrimination which will proceed to a final hearing.

Employment Judge Slater

Date: 2 October 2018

JUDGMENT SENT TO THE PARTIES ON

3 October 2018

FOR THE TRIBUNAL OFFICE

Note

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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