



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr L Gordon

AND

Respondent
Apex Resources Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT: BRISTOL **ON:** 13 AUGUST 2021
BEFORE: EMPLOYMENT JUDGE MR P CADNEY (SITTING ALONE)

APPEARANCES:

FOR THE CLAIMANT: NO ATTENDANCE
FOR THE RESPONDENT: MR J DA ROCHA-AFODU

JUDGMENT

The judgment of the tribunal is that:

1. The claimant's claim for unlawful deduction from wages in the sum of £115 is dismissed.

Reasons

1. By this claim the claimant alleges that he was an employee/worker of the respondent and performed ten hours work for a client on 29th April 2021 for which he is owed £115. The respondent disputes the claim on the basis that the claimant is an independent contractor and the claim does not fall within the jurisdiction of the tribunal; and secondly, as the claimant did not in fact carry out the work.
2. Irrespective of the jurisdictional point the burden of proof lies on the claimant to prove the primary facts in relation to carrying out the work. He has not attended this hearing and it follows that his claim must be dismissed.

Employment Judge Cadney
Date: 13 August 2021

Sent to the Parties: 23 August 2021

FOR THE TRIBUNAL OFFICE