



EMPLOYMENT TRIBUNALS

Claimant: Ms J-H Thomas

Respondent: Naio Nails (Distribution) Limited

Heard at: Middlesbrough

On: 8 November 2024

Before: Employment Judge Heather

REPRESENTATION:

Claimant: In person

Respondent: Ms E Mayhew-Hills (Litigation Consultant)

PRELIMINARY HEARING IN PUBLIC JUDGMENT

The judgment of the Tribunal is as follows:

Employment status

1. The claimant was not an employee of the respondent at the relevant time. The complaints of:
 - a. Automatically unfair dismissal (s99 Employment Rights Act 1996 and regulation 20 The Maternal and Parental Leave Etc Regulations 1999); and
 - b. Failure to provide written statement of reasons for dismissal (s93 Employment Rights Act 1996);

are therefore dismissed because the Tribunal does not have jurisdiction to determine them.

2. The claimant was a worker of the respondent at the relevant time. The complaints of:
- a. Dismissal amounting to pregnancy discrimination (s18 Equality Act 2010);
 - b. Failure to provide written statement (s11(1) Employment Rights Act 1996);
 - c. Failure to provide written pay statement (s11(2) Employment Rights Act 1996);
and
 - d. Unauthorised deduction from wages (s13 Employment Rights Act 1996)
- will therefore proceed.

**Employment Judge Heather
11 November 2024**

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.