



EMPLOYMENT TRIBUNALS

Claimant: Mr K L Aboud

Respondent: Emerge Tech Staffing Limited
(in Creditors Voluntary Liquidation)

Heard at: Liverpool

On: 11 October 2024

Before: Employment Judge Aspinall

Representation

Claimant: in person

Respondent: no appearance

JUDGMENT

1. The claimant's claim for breach of contract fails as he was not an employee at termination of engagement.
2. The claimant's claim of unauthorised deduction from wages, brought as a worker, under section 13 Employment Rights Act 1996 succeeds.
3. The respondent is **ordered to pay £ 16,194** made up as follows

Four days work for 23, 24, 25 and 26 July 2023
at the agreed rate of US\$600 per day

plus

30 days notice pay US\$18,000

Which together when converted at the exchange rate
in operation on 26 July 2023 amounts to £ 16, 194

Employment Judge Aspinall

Date: 11 October 2024

JUDGMENT SENT TO THE PARTIES ON

17 October 2024

FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to employment tribunal decisions

Judgments 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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2411396/2023**

Name of case: **Mr K L Aboud** v **Emerge Tech Staffing
Limited (in Creditors
Voluntary Liquidation)**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day, the calculation day, and the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 17 October 2024

the calculation day in this case is: 18 October 2024

the stipulated rate of interest is: **8% per annum.**

For the Employment Tribunal Office