



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimants**

and

**Respondents**

(1) MRS TRACY HOWARD

(1) EXCLUSIVE CONTRACT SERVICES LIMITED

(2) MR YIU WO TANG

(2) PREMIUM SUPPORT SERVICES LIMITED

(3) MRS NARINDER KLAIR

(4) MR BOHINDER MATO

(5) MRS RAMANDEEP KAUR GORAYA

(6) MRS MANJIT KAUR GORAYA

(7) MRS RANJIT BRATCH

**Held at: Watford**

**On: 1-3 September 2020**

**Before: Employment Judge Smail**

**Mr A Scott**

**Ms L Jaffe**

## Appearances

**Claimants:**

Ms I Saran (Counsel)

**First Respondent:**

Mr J Gidney (Counsel)

**Second Respondent:**

No appearance (settled with Claimants)

# JUDGMENT

1. The claims of Mrs Rajwinder Kaur Goraya, Mrs L Webb, Mrs L Goode, Mrs R Ghuman and Mrs K Iwamir Thembe are dismissed upon withdrawal.

2. The claims of Mr B. Bhatti, Ms Jaspel Kaur, Mr S. Lambird, Mr I Davidson, Mr M McCoy, Mrs T More, Miss S. Vanova are struck out for non-pursuit.

3. The First Respondent breached regulation 13 and 14 of the TUPE Regulations 2006 by failing to enable the nomination and/or election of a second employee representative.

4. The First Respondent breached regulation 13 of the TUPE Regulations by failing to provide information about the transfer in writing to the sole employee representative.

5. The First Respondent must pay the 7 claimants two weeks' pay each if and only if the Second Respondent fails to pay the settlement agreement with the Claimants of 7 weeks' pay each, which amounts act, as conceded by the Claimants, as credits against the First Respondent's indebtedness to the Claimants.

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Employment Judge Smail 14.10.2020

South East Region

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Judgment sent to the parties on

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