



EMPLOYMENT TRIBUNALS

Claimants

1. Mr S Bagguley
2. Mr P Merifield

Respondents

1. John Henry Group
2. SDH Project Services Ltd

PRELIMINARY HEARING BY SKYPE

Heard at: **By Skype**

On: **3 June 2020**

Before: **Employment Judge Davies**

Appearances

For the Claimants:

Ms Grossman (counsel)

For the Respondents:

1. Mr Bryan (counsel)

2. Ms Evans (solicitor)

JUDGMENT

1. The complaints of failure to inform and consult under regulations 13, 14 and 15 of the Transfer of Undertakings (Protection of Employment) Regulations 2006 against both Respondents were not brought within three months of the date on which the relevant transfer was complete and they were not brought within a reasonable period thereafter. The Tribunal therefore does not have jurisdiction to deal with those complaints and they are dismissed.

Notes

1. This hearing was conducted by Skype (V- video). The parties did not object. A face to face hearing was not held because it was not practicable and all the issues could be dealt with by Skype. I had in front of me the pleadings and case management orders, witness statements and exhibits, skeleton arguments and authorities, case management agenda and other orders and correspondence.
2. Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Employment Judge Davies
3 June 2020

Sent to the parties on:
3 June 2020