



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants: Farhea Mohammed & Others (see list attached)

Respondent: Grocery Delivery E-Services UK Ltd t/as Hellofresh

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD at Birmingham (remotely by CVP)

ON 11 & 12 November 2024

BEFORE EMPLOYMENT JUDGE Dimbylow

Representation

For the claimants: Mr Z Al Busmait, Counsel

For the respondent: Mr D Northall, One of His Majesty's Counsel

JUDGMENT ON A PUBLIC PRELIMINARY HEARING

The judgment of the tribunal is that:

- 1. By consent, and upon the claimants' application to amend the claim form** to include a claim for "ordinary" unfair dismissal pursuant to section 94 of the Employment Rights Act 1996, the application is granted.
- 2. Upon the respondent's application to dismiss the claimants' application for interim relief** pursuant to section 128 of the Employment Rights Act 1996 (ERA) and section 161 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) as it was procedurally defective rendering it unable to succeed, I find the application is not well-founded, fails and is dismissed.
- 3. Upon the claimants' application for interim relief** pursuant to section 128 of ERA and section 161 of TULR(C)A, I find the application is not well-founded, fails and is dismissed. It did not appear to me that it was likely upon determining the complaints to which the application relates the

tribunal will find that the claimants have been unfairly dismissed for asserting the qualifying reasons advanced by the claimants relating to trade union membership pursuant to s.152 of TULRCA.

4. **Upon the respondent's application to strike out the claim**, pursuant to section 237 TULR(C)A, and considering Rule 37 of the Tribunal Rules of Procedure, I find the claims for unfair dismissal have no reasonable prospect of success and I strike them out. On the evidence before me I concluded there was a strike or concerted stoppage of work, it was unofficial, the claimants took part, and it continued until the date of dismissal on 9 October 2024.

5. **Upon the respondent's application for a wasted costs order**: the application is adjourned and will be heard on 17 December 2024 commencing at 10.am, with a time estimate of 1 day, via CVP, and I have prepared a separate order confirming the arrangements for it.

Employment Judge Dimbylow
13 November 2024

Notes:

- (1) Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.

- (2) All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant and respondent.

- (3) 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:

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

Multiple Schedule

Multiple: 1300924 - Grocery Delivery E-Services UK LTD T/A Hellofresh

Case Number	Case Name
1311184/2024	Farhea Mohammed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311185/2024	Abdinoor Hirsi -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311186/2024	Jama Mohamed Hersi -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311187/2024	Mrs Khadijo Abdulkadir -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311188/2024	Abdulqadir Jama -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311189/2024	Abubacarr Tunkara -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311190/2024	Shirwac Nasir Ahmed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311191/2024	Abdullahi Dayah Omar -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311192/2024	Amadou Sy -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311193/2024	Mrs Habon Qaalib -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311194/2024	Miss Farihiyo Ali -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311195/2024	Miss Samira Dahir -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311196/2024	Abdullah Abdullah -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311197/2024	Mr Mohamed Yarow -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311198/2024	Amara Tunkara -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311199/2024	Mrs Oumie Sagnia -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311200/2024	Mr Amadou Sowe -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311201/2024	Mr Ousmane Ndom -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311202/2024	Mr Sidomar Gafow -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311203/2024	Suheyb Dahir -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311204/2024	Mr Jacques Vertommen -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311205/2024	Mr Cheikh Diop -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311206/2024	Khadim Diakhoumaa -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311207/2024	Samba Sabaly Ba -v- Grocery Delivery E-Services UK LTD T/A Hellofresh

1311208/2024 Morro Manneh -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311209/2024 Nura Hasen -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311210/2024 Nasteho Farah -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311211/2024 Mr Musbaah Ali Guled -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311212/2024 Mr Abdiqadir Hussein -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311213/2024 Mrs Mariama Sonko -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311214/2024 Mr Manirou Fall -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311215/2024 Mrs Dhuuh Mohamed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311216/2024 Mrs Fatou Chuba -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311217/2024 Mr Amadou Gueye -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311218/2024 Mr Abdiladif Karshe -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311219/2024 Mrs Ndeye Ndoye -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311220/2024 Mr Braima Assoumanou -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311221/2024 Mrs Kiin Hassan -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311222/2024 Mr Seco Conte -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311223/2024 Miss Nima Yusuf -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311224/2024 Mr Mustapha Sanneh Saidy -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311225/2024 Mr Yahie Yasin -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311226/2024 Aisha Hussein -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311227/2024 Mrs Khady Gueye -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311228/2024 Mr Amar Mohamed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311229/2024 Mr Ahmed Abdullahi Hassan -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311230/2024 Ms Najah Abdi -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311231/2024 Yasmin Muuse -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311232/2024 Miss Salma Hure -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311233/2024 Miss Bilan Warsama -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311234/2024 Mr Mohamed Abdilahi -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311235/2024 Miss Samia Mohamed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311236/2024 Mrs Fadumo Hussein Hirsi -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311237/2024 Halimo Abdulle -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311238/2024 Miss Ifrah Hassan -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311239/2024 Mrs Faisa Awale -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311240/2024 Ms Faduma Nur -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311241/2024 Hassan Mohamed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311242/2024 Mr Amadou khadime Mbaye -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311243/2024 Mrs Fartun ali Mohamed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311244/2024 Mr Anas Husien Abdukadir -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311245/2024 Emad Samir -v- Grocery Delivery E-Services UK LTD T/A Hellofresh

1311246/2024 Ahmed Omar -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311247/2024 Mr Mohamed Waraama -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311248/2024 Mr Samasa Saho Malicki -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311249/2024 Mamadou Diallo -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311250/2024 Mr Abdiaziz Mohamed -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311251/2024 Mrs Saida Sharif -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311252/2024 Yusra Isaaq -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311253/2024 Hamdi Hussen Noor -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311254/2024 Mr Asim Baig -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311255/2024 Miss Adna Abdi -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311256/2024 Adbinzak Miroom -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311257/2024 Hasan Sidmohamud Roble -v- Grocery Delivery E-Services UK LTD T/A Hellofresh
1311258/2024 Khadar Abdi Muse -v- Grocery Delivery E-Services UK LTD T/A Hellofresh