



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

Ms Rachel Quillen

v

AMD Care Company (UK) Limited

**Heard at:** Norwich (by CVP)

**On:** 6 November 2023

**Before:** Employment Judge Postle

**Appearances**

**For the Claimants:** In person

**For the Respondent:** Mr Hussain, Employment Consultant

## JUDGMENT

1. The Claimant was not employed immediately preceding the transfer from Crocus Care Limited to the Respondent, having resigned on 3 February 2022 effective on 28 February 2022.
2. Pursuant to Regulation 43 of the TUPE Regulations 2006,  

“An employee must be employed by the transferor [Crocus] immediately prior to the transfer in order to transfer to the transferee [the Respondent]”.
3. Therefore the claims of constructive dismissal and disability discrimination are dismissed against the Respondents.

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Employment Judge Postle

Date: ...20 November 2023.....

Sent to the parties on: .....

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For the Tribunal Office