



Claimant: Mr A Reeves
First Respondent: OCS Group UK Limited
Second Respondent: Rentokil Initial UK Limited

Heard at London South Employment Tribunal on 29 & 30 January 2018

Before Employment Judge Baron

Lay Members: Ms R Bailey and Mr M Sparham

Representation:

Claimant: *Benjamin Gray*
First Respondent: *Anthony Johnston*
Second Respondent: *Edward Kemp*

JUDGMENT

It is the unanimous judgment of the Tribunal as follows:

- 1 The Tribunal **declares** that the complaint against the First Respondent that it failed to comply with its duty in regulation 13(2) of the Transfer of Undertakings (Protection of Employment) Regulations 2006 is well-founded;
- 2 The Tribunal **orders** the First Respondent to pay to the Claimant compensation amounting to thirteen weeks' pay;
- 3 The Tribunal **orders** that the complaint of a failure to comply with regulation 13(6) of the 2006 Regulations is stayed until further order.

Employment Judge Baron
Dated 30 January 2018

Notes:

- 1 Extempore reasons for this judgment were provided, but full reasons will be prepared and issued as soon as possible.
- 2 Under regulation 15(9) of the 2006 Regulations the Second Respondent is jointly and severally liable for the award in paragraph 2 above.

- 3 This case was a lead case in accordance with rule 36 of the Employment Tribunals Rules of Procedure 2013 and a copy of this judgment will be sent to each of the Claimants in the related cases in accordance with that rule.

Lead cases

36.—(1) Where a Tribunal considers that two or more claims give rise to common or related issues of fact or law, the Tribunal or the President may make an order specifying one or more of those claims as a lead case and staying, or in Scotland sisting, the other claims (“the related cases”).

(2) When the Tribunal makes a decision in respect of the common or related issues it shall send a copy of that decision to each party in each of the related cases and, subject to paragraph (3), that decision shall be binding on each of those parties.

(3) Within 28 days after the date on which the Tribunal sent a copy of the decision to a party under paragraph (2), that party may apply in writing for an order that the decision does not apply to, and is not binding on the parties to, a particular related case.