



EMPLOYMENT TRIBUNALS

Claimant

Miss E O'Brien
Ms F McCleod

Respondent

R1. Phoenix Pub Group Limited
R2. Cheshire Taverns Limited
R3. Bicester Pubs Limited
R4. Marrs Inns Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL (AT PRELIMINARY HEARING)

Heard at: Birmingham

On: 12 June 2019

Before: Employment Judge Lloyd

Representation

For the Claimants:

Mr J Wallace, Counsel

For the Respondent:

No attendance

JUDGMENT

Having heard the claims in the respondents' absence, under Rule 47 Tribunal Rules of Procedure 2013, the judgment of the tribunal is: -

- 1) There was a relevant transfer pursuant to regulation 3(1)(a) of the TUPE Regulations 2006, from the second respondent to the first respondent on 7 August 2017
- 2) In respect of the substantive claims made by the claimants;
 - a) No valid response was entered; and I adjudge that: -
 - b) The claimants' claims succeed against the first respondent only, as set out in the schedule to this judgment. I dismiss the claims against all other respondents.
- 3) Subject to the directions in the order accompanying this judgment, a remedy hearing is listed for Wednesday 28 August 2019 commencing at 10.00am, with a time allocation of 1 day.

Employment Judge Lloyd

12 June 2019

SCHEDULE

**THE CLAIMANTS' CLAIMS AS PROVEN AGAINST THE FIRST
RESPONDENT**

The First Claimant

Failure to provide a written statement of particulars (s.1 ERA, s.38 EA 2002)

Failure to provide written reasons for dismissal (s.93 ERA)

Automatic unfair dismissal, for reason of relevant TUPE transfer (TUPE reg 7)

Unfair dismissal (s.94/98 ERA 1996)

Wrongful dismissal

Unlawful detriment in maternity leave (MPL Regs 1999 reg 19(1) and (2)(d))

Maternity discrimination: (s.18 EqA)

The Second Claimant

Failure to provide a written statement of particulars (s.1 ERA, s.38 EA 2002)

Automatic unfair dismissal, for reason of relevant TUPE transfer (TUPE reg 7)

Unfair dismissal (s.94/98 ERA 1996)