



EMPLOYMENT TRIBUNALS

Claimant: Mr Patrick Panting

Respondent: Crouch Logistics

Heard at: Reading **On: 18 January 2022**

Before: Employment Judge Gumbiti-Zimuto

Appearances
For the Claimant: Not attending and not represented
For the Respondent: No response entered

JUDGMENT

The claimant's claim is not well founded and is dismissed.

REASONS

1. In a claim form presented on 29 April 2021 the claimant made a complaint about unpaid wages from the respondent, Crouch Logistics. Crouch Logistics have not entered a response to the claim. The claimant has not attended the hearing today.
2. The claimant was employed by the respondent from 15 October 2018 until 31 March 2021. On 1 April 2021 the claimant's employment transferred pursuant to the TUPE to his current employer who is unnamed.
3. The claimant states that "*Crouch Logistics should have paid me my final months wage but have refused to do so... I am simply claiming the money I have earned and is owed to me.*"
4. The claimant has not brought any proceedings against his current employer.
5. By regulation 4(2)(a) of the Transfer of Undertakings Regulations the in general, all of the transferor's rights, powers, duties and liabilities under or in connection with the transferring employees' contracts pass to the transferee. The effect of this is that the transferee steps into the transferor's shoes as regards the employees' terms and conditions with effect from the transfer date.

6. The claimant should have brought proceedings against the transferee, his current employer but he has not. His claim must therefore fail for that reason.
7. Additionally, the claimant has not provided details of the amounts claim in respect of pay. The claimant's claim therefore fails for that reason also.

Employment Judge Gumbiti-Zimuto

Date: 18 January 2023

Sent to the parties on: 18/2/2023

NG - For the Tribunals Office

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