

Case No: 1801666/2023  
1801946/2023  
1804026/2023  
1804028/2023  
1804618/2023  
1804619/2023  
1804620/2023  
1804621/2023



# EMPLOYMENT TRIBUNALS PUBLIC PRELIMINARY HEARING

**Claimants:**       **\*\*Mr P Thompson\*\***  
Mr G Watts  
GMB Union  
Mr C Ingham  
Mr A Dargue  
Mr A Booth  
Unite the Union

**Respondents:**   Moran Logistics Limited  
Romac Logistics Limited

**HELD AT:**         **Leeds ON: 26 – 29 February 2024 (CVP link on 29 February)**

**BEFORE:**         **Employment Judge JM Wade**

**APPEARANCES:**

**Claimants:**       **Mr Thompson, in person**  
**Mr Watts, GMB, Mr Sharples, solicitor**  
**Mr Ingham, Mr Dargue, Mr Booth, Unite the Union, Ms**  
**Garnham, solicitor**

**Respondents:**   **Mr Ahmed, counsel**  
**Ms Ifeka, counsel**

## JUDGMENT

- 1     There was a service provision change (“SPC”) pursuant to Regulation 3(1)(b)(ii) of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) on or around midnight on Friday 25 February 2023.

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- 2 Immediately prior to that SPC there was an organised grouping of Moran employees which had as its principal purpose the carrying out of activities for the client.
- 3 **\*\*Mr Thompson\*\***, Mr Watts, Mr Ingham, Mr Dargue and Mr Booth were assigned to the grouping and consequently transferred to the second respondent at that time by operation of law pursuant to Regulation 4(1).
- 4 **\*\*Mr Thompson\*\*** application to amend his claim to add a Regulation 15 complaint of a failure to inform and consult pursuant to Regulations 13 and 14, to include the further particulars provided on 10 July 2023 is permitted.

Employment Judge JM Wade  
29 February 2024

All judgments (apart from those under rule 52) 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 claimants and respondents. There is a practice direction about recordings and transcripts of Tribunal proceedings. Any request for written reasons must be received within 14 days of this Judgment being sent to the parties and must be copied to all parties.