



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants

and

Respondents

(1) Mr Y Aslam
(2) Mr J Farrar
& Others

(1) Uber B.V.
(2) Uber London Ltd
(3) Uber Britannia Ltd

RESERVED JUDGMENT OF THE EMPLOYMENT TRIBUNAL

SITTING AT: London Central

ON: 19-21, 25 July; 26 July,
12 October 2016
(in chambers)

BEFORE: Employment Judge A M Snelson

MEMBERS: Mr D Pugh
Mr D Buckley

On hearing Mr T Linden QC, leading counsel, on behalf of the Claimants and Mr D Reade QC, leading counsel, on behalf of the Respondents, the Tribunal unanimously adjudges that:

- (1) In the circumstances and to the extent explained in the accompanying Reasons, the Claimants were 'employed' as 'workers' by the Second Respondents, Uber London Ltd, within the meaning of the Employment Rights Act 1996, s230(3)(b), the Working Time Regulations 1998, reg 36(1) and the National Minimum Wage Act, s54(3).
- (2) The Claimants' working time is to be calculated in accordance with the Working Time Regulations 1998, reg 2(1) and the accompanying Reasons.
- (3) For the purposes of the National Minimum Wage Regulations 2015, reg 44, the Claimants were engaged in 'unmeasured work' and their hours of work are to be reckoned in accordance with regs 45 and 47 and the accompanying Reasons.

A.M. Snelson

EMPLOYMENT JUDGE

Judgment entered in the Register and copies sent to the parties on

..... for Office of the Tribunals