

For immediate release – Monday 25 June 2018

## **GMB UNION SCORES ANOTHER LANDMARK WIN IN HERMES WORKERS' RIGHTS CASE**

**This is yet another ruling that shows the gig economy for what it is - old fashioned exploitation under a shiny new facade, says GMB Union**

GMB, the union for lifestyle couriers, has scored a landmark legal victory against Hermes after an employment tribunal ruled their couriers are entitled to basic workers' rights.

The win is the latest GMB Union legal triumph against bogus self-employment following ground-breaking successes against Uber [1] and Addison Lee [2].

The Leeds Employment Tribunal found that a group of Hermes couriers were workers and were entitled to receive the National Minimum Wage and holiday pay.

In an important ruling, which will potentially affect thousands of Hermes couriers, the tribunal ruled a group of Hermes couriers were not independent contractors, as Hermes argued, but are in fact workers who are entitled to essential workers' rights.

These include the right to be paid the National Minimum Wage, receive paid holiday and reclaim unlawful deductions from their wages.

The ruling affects the 65 couriers that have already brought claims, but is also likely to impact upon the wider network of 14,500 Hermes couriers who are engaged under the same contract as the couriers.

There will now be a further hearing in the Employment Tribunal to calculate the holiday pay, national minimum wage and any unlawful deductions due back that the couriers should receive.

GMB, has also announced legal action against three Amazon delivery companies on the charge of bogus self-employment. [3]

### **Tim Roache, GMB General Secretary, said:**

"This is yet another ruling that shows the gig economy for what it is - old fashioned exploitation under a shiny new facade.

"Bosses can't just pick and choose which laws to obey. Workers' right were hard won, GMB isn't about to sit back and let them be eroded or removed by the latest loophole employers have come up with to make a few extra quid.

“Not only will this judgement directly affect more than 14,000 Hermes couriers across the country, it’s another nail in the coffin of the exploitative bogus self-employment model which is increasingly rife across the UK.

“We urge Hermes to sit down with us and have a meaningful discussion.”

**Frank Field MP, Chair of Work & Pensions Select Committee said:**

“Can even the World Cup produce a better result than this?”

“It ranks among the most substantial judicial interventions ever to support vulnerable workers in this country.

“The decision is a mega knockback to those companies still using old means of exploiting vulnerable workers.”

**Michael Newman, from Leigh Day said:**

“We are delighted that the Employment Tribunal has found in favour of GMB’s members.

“This judgment acknowledges that Hermes couriers, as the customer-fronting “face of Hermes”, play an integral part in the success of the company. It confirms that they work for Hermes as part of Hermes’ business.

**ENDS**

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Notes to Editors:

[1] <http://www.gmb.org.uk/newsroom/GMB-wins-uber-case>

[2] <http://www.gmb.org.uk/newsroom/addison-lee-victory>

[3] <http://www.gmb.org.uk/newsroom/amazon-firms-legal-action>