



**EMPLOYMENT TRIBUNALS**  
(England and Wales)

**CASE MANAGEMENT ORDER  
OF THE PRESIDENT**

**In the matter of complaints arising under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 by salaried or fee-paid judges who, when sitting in another jurisdiction for part of their working time, earn their usual rate of remuneration rather than a higher rate which other judges are paid for sitting in that jurisdiction**

CLAIMS in respect of complaints arising under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 by salaried or fee-paid judges who, when sitting in another jurisdiction for part of their working time, earn their usual rate of remuneration rather than a higher rate which other judges are paid for sitting in that jurisdiction having been received in various Employment Tribunal regions in England and Wales (*Atherton & others v Ministry of Justice & others: 2504348/2019 & others*)

AND pay issues of a closely similar kind (including any pension implications thereof)

AND those claims being variously presented by or on behalf of individual claimants

AND having considered correspondence from the parties or their representatives

AND having regard to the overriding objective under Rule 2 of the First Schedule to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

AND having regard to the representations made by or on behalf of the parties

AND having regard to Presidential Directions previously having been made in the *Miller/O'Brien* litigation being insufficiently apt to cover this class of claim

AND having regard to recent case management orders made by the nominated judge in the *Miller/O'Brien* litigation on 31 January 2020

AND having regard to the distribution of judicial and administrative workload and resources as between the Employment Tribunal regions

IT IS ORDERED THAT:


ALL such present and future claims (and closely similar claims) be stayed and transferred to the Employment Tribunal at the London Central region (Victory House)

AND such claims are to be combined and case managed in accordance with the directions of the Regional Employment Judge and any nominated judge at London Central region, continuing the stay on such claims as is necessary and identifying any lead or test cases for hearing or other determination

AND any party or representative wishing to make representations for the further conduct of any such claims should do so upon application to the Regional Employment Judge at London Central (and copied to any other interested party or person)

AND a copy of this Case Management Order shall be sent to ACAS and to all known interested parties, and shall be published on the Judiciary website at:

<https://www.judiciary.uk/publications/directions-employment-tribunals-england-wales/>.

  
**SIGNED:** \_\_\_\_\_  
**Judge Brian Doyle**  
**President**

**DATED:** 13 March 2020