# Uber BV and others (Appellants) v Aslam and others (Respondents)

## Case ID: UKSC 2019/0029

### Case summary

### Issue(s)

1. Whether the Respondents were "workers" providing personal services to the Second Appellant.
2. If the Respondents were "workers", what periods constituted their "working time".

### Facts

The Appellants are members of a group of companies providing private hire vehicle booking services in the UK and internationally. Journeys are booked through the Appellants' smartphone app, which connects passengers to drivers. The Respondents are drivers who are or were active users of that app. The Respondents contend that, during the periods covered by their claims, they were "workers" for the purposes of the Employment Rights Act 1996, the National Minimum Wage Act 1998 and the Working Time Regulations 1998. As such, the Respondents claim that they were entitled to the minimum wage, paid leave and other legal protections. The Appellants argue that the Respondents were independent, third party contractors and not "workers". Following a preliminary hearing, the Employment Tribunal found that the Respondents were "workers" and that they were "working" whenever they (a) had the Appellants' app switched on; (b) were within the territory in which they were authorised to work; and (c) were able and willing to accept assignments. These findings were upheld by the Employment Appeal Tribunal and the Court of Appeal. The Appellants now appeal to the Supreme Court.

### Judgment appealed

**[2018] EWCA Civ 2748**

## Parties

### Appellant(s)

1. Uber BV
2. Uber London Ltd
3. Uber Britannia Ltd

### Respondent(s)

1. Yaseen Aslam
2. James Farrer
3. Robert Dawson and others

## Appeal

### Justices

Lord Reed, Lord Hodge, Lady Arden, Lord Kitchin, Lord Sales, Lord Hamblen, Lord Leggatt

**Hearing start date**

21 Jul 2020

**Hearing finish date**

22 Jul 2020

**Watch hearing**

21 Jul 2020 [Morning session](#) [Afternoon session](#)
22 Jul 2020 [Morning session](#) [Afternoon session](#)

# Judgment details

**Judgment date**

19 Feb 2021

**Neutral citation**

[2021] UKSC 5