

# Compliance & Risk

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## Headlines

- BBC conducts modern slavery investigation, p.16
- Irish ‘accidental Americans’ may get US tax bills, p.18
- Barclays’ CEO fined over £660,000 in whistleblower decision, p.19

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## Hermes prepares to fight latest gig economy claim

In the latest gig economy case, the delivery company Hermes faces an employment tribunal claim in the UK from a group of couriers who say that they are in fact workers, and that as workers they should be entitled to holiday pay and to receive the national living wage.

The eight couriers at Hermes, which delivers packages for retailers such as Next, Asos, and John Lewis, claim that they are being denied basic workers’ rights by being forced to declare themselves as self-employed, meaning they are not entitled to holiday pay or to be paid

the legal minimum hourly rate under the national living wage.

The Hermes claim follows on the heels of several other similar tribunal hearings – including verdicts in cases brought against Uber, Addison Lee, City Sprint, Excel and eCourier – where judges have ruled that the staff should be given the legal classification as “workers”, thereby receiving the minimum wage and holiday pay rights.

In 2016, the ride-hailing firm Uber was told by the courts that its drivers should be classed as

“workers” with minimum-wage rights, and Uber lost its appeal against that decision in 2017. The company, though, has said it will appeal again so the issue could find its way to the Supreme Court during 2018.

Tim Roache, the general secretary of the GMB union, which has been involved in bringing the Hermes claim, said in a statement, “Companies like Hermes and Uber hide behind terms like ‘flexibility’ to wriggle out of treating the people who make them their money

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## 21st Century Fox's London office raided in market abuse inquiry

A tip-off from a whistleblower is believed to have sparked a raid on 21st Century Fox by the European Commission and the Competition and Markets Authority (CMA) on 10 April 2018.

Following reports that the competition regulator had conducted a raid of the company’s offices in Hammersmith, west London, a spokesman for the Commission said, “The European Commission

can confirm that on 10 April its officials carried out unannounced inspections in several member states at the premises of companies active in the distribution of media rights and related rights pertaining to various sports events and/or their broadcasting. Unannounced inspections are a preliminary step into suspected anti-competitive practices”.

The raids, during which

documents and computer records were reportedly taken, are said to have been prompted by concerns that Fox “may have violated EU antitrust rules that prohibit cartels and restrictive business practices”.

A spokesman for Fox, which is already under intense scrutiny by regulators in London and Brussels over its

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