



EMPLOYMENT TRIBUNALS

Claimant: Mr Brian Peter Davies
Respondent: G. H. A. Coaches Limited (in Administration)
Date: 17 January 2017
Before: Regional Employment Judge B J Clarke

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. By a letter to the tribunal dated 13 December 2016, the Respondent's administrators confirmed that the Claimant's case would not be contested. Accordingly, having made enquiries of the Claimant's representatives, I issue a judgment under Rule 21 in these terms.
2. I find that the Respondent failed to consult with the Claimant in breach of Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the 1992 Act). Specifically, in a workplace with no recognised trade union, the Respondent failed to arrange for the election of employee representatives and it thereby failed to inform and consult with the Claimant, through such representatives, on its proposed redundancy dismissals.
3. In accordance with Section 189 of the 1992 Act, I hereby order that a protective award of 90 days' pay should be made Claimant, the period of 90 days running from the date of dismissal for redundancy on 14 July 2016. I also order the Respondent to refund him the sum of £250 that he paid when submitting his claim to the tribunal.

Regional Employment Judge B J Clarke

Date: 17 January 2017

Case No: 1600857/2016

JUDGMENT SENT TO THE PARTIES ON

18 January 2017

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FOR THE TRIBUNAL OFFICE