



EMPLOYMENT TRIBUNALS

Claimants: Ms L Wailes
(and others see schedule)

Respondent: Rigby's Fruit Limited

HELD AT: Liverpool **ON:** 4 July 2018

BEFORE: Regional Employment Judge Parkin
(sitting alone)

REPRESENTATION:

Claimants: All in person save Mrs Hampson, Ms McCaffrey,
Mrs Peasnell and Mrs Rigby

Respondent: No response presented and no attendance.

JUDGMENT

The judgment of the Tribunal is that:

1. In respect of all claimants, the respondent failed to comply with the collective consultation requirements at Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 in respect of its establishment at 13-17 Sankey Street, Warrington and is ordered to pay each claimant a protective award representing 90 days' pay for a protected period of 90 days from 24 February 2018.
2. In the case of Miss Beechall, the respondent is ordered to pay her a redundancy payment in the sum of £5,670, together with damages for breach of contract in the sum of £720 net and compensation for accrued paid annual leave in the sum of £1,260.
3. In the case of Mrs Stevens, the respondent is ordered to pay her a redundancy payment in the sum of £1,620, damages for breach of contract in the sum of £729 net and compensation for accrued paid annual leave in the sum of £360.
4. In the case of Mrs Brailey, the respondent is ordered to pay her a redundancy payment in the sum of £3,375, damages for breach of contract in the sum of £1,460 net and compensation for accrued paid annual leave in the sum of £300.

5. In the case of Ms Wailes, the respondent is ordered to pay her a redundancy payment in the sum of £4,860, damages for breach of contract in the sum of £1,960 net and compensation for accrued paid annual leave in the sum of £1,080.

6. In the case of Mrs Cook, the respondent is ordered to pay her a redundancy payment in the sum of £2,250, damages for breach of contract in the sum of £700 net and compensation for accrued paid annual leave in the sum of £225.

7. In the case of Mrs Davies, the respondent is ordered to pay here a redundancy payment in the sum of £3,375, damages for breach of contract in the sum of £1,700 net and compensation for accrued paid annual leave in the sum of £562.50.

8. In the case of Miss Bent, the respondent is ordered to pay her a redundancy payment in the sum of £816, damages for breach of contract in the sum of £250 net and compensation for accrued paid annual leave in the sum of £1,088.

9. In the case of Mrs Malone, the respondent is ordered to pay her a redundancy payment in the sum of £2,700, damages for breach of contract in the sum of £900 net and compensation for accrued paid annual leave in the sum of £450.

10. In the case of Mrs Hampson, the respondent is ordered to pay her compensation for accrued paid annual leave in the sum of £1,050 and the sum of £225 unlawful deduction of wages in respect of holiday pay.

11. In the case of Ms McCaffrey, the respondent is ordered to pay her a redundancy payment in the sum of £5,670 and compensation for accrued paid annual leave in the sum of £1,260.

12. In the case of Mrs Peasnell, the respondent is ordered to pay her a redundancy payment in the sum of £2,660 and compensation for accrued paid annual leave in the sum of £1,120.

13. In the case of Mrs Rigby, the respondent is ordered to pay her a redundancy payment in the sum of £4,050 and compensation in the sum of £1,200 for accrued paid annual leave but makes no award of damages for breach of contract.

Regional Employment Judge Parkin

Date: 10 July 2018

JUDGMENT SENT TO THE PARTIES ON

23 July 2018
FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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