



# EMPLOYMENT TRIBUNALS

**Claimants:** Mrs K Moore & Others (see Schedule)

**Respondent:** LBS Worldwide Limited (in Corporate Voluntary Arrangement)

**Heard at:** Manchester **On:** 28 August 2018

**Before:** Regional Employment Judge Parkin

## REPRESENTATION:

**Claimants:** Mrs Moore, Mrs Bradshaw, In person  
Mrs Oldham, Mr Storozuk

**Mr White and Miss Moulding** Written representations received

**Respondent:** No attendance

# JUDGMENT

The judgment of the Tribunal is that:

## 1. Mrs K Moore

1.1 Mrs Moore was unfairly dismissed by the respondent and the respondent is ordered to pay her a compensatory award for loss of statutory rights in the sum of £1,034.30.

1.2 Mrs Moore's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay her a protective award of remuneration for the protected period of 90 days from 4 September 2017.

1.3 All Mrs Moore's other claims are dismissed on withdrawal by her.

## 2. Mrs V Bradshaw

2.1 Mrs Bradshaw was unfairly dismissed by the respondent and the respondent is ordered to pay her a compensatory award for loss of statutory rights in the sum of £1,230.46.

2.2 Mrs Bradshaw is entitled to a statutory redundancy payment in the sum of £1,467.00. She will give credit for the amount of any statutory redundancy payment received from the National Insurance Fund.

2.3 Mrs Bradshaw's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay her a protective award of remuneration for the protected period of 90 days from 4 September 2017.

2.4 The respondent is ordered to pay Mrs Bradshaw damages for breach of contract in respect of the net balance of her notice pay entitlement in the sum of £28.70.

2.5 All Mrs Bradshaw's other claims are dismissed on withdrawal by her.

### **3. Mrs S Oldham**

3.1 The respondent unfairly dismissed Mrs Oldham and is ordered to pay her a compensatory award for loss of statutory rights in the sum of £512.

3.2 Mrs Oldham's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay her a protective award of remuneration for the protected period of 90 days from 4 September 2017.

3.3 All Mrs Oldham's other claims are dismissed on withdrawal by her.

### **4. Mr C Storozuk**

4.1 The claimant, Mr Storozuk, was unfairly dismissed by the respondent and the respondent is ordered to pay him a compensatory award for loss of statutory rights in the sum of £1,442.30.

4.2 Mr Storozuk's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay him a protective award of remuneration for the protected period of 90 days from 4 September 2017.

4.3 Mr Storozuk was dismissed in breach of contract in respect of his contractual notice entitlement of three months, and the respondent is ordered to pay him damages in the sum of £2,499.01 net in respect of the shortfall after he has given credit for payments from the National Insurance Fund.

4.4 All Mr Storozuk's other claims are dismissed on withdrawal by him.

**5. Mr A Cregg**

5.1 Mr Cregg's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay him a protective award of remuneration for the protected period of 90 days from 4 September 2017.

5.2 All Mr Cregg's other claims are dismissed on withdrawal by him.

**6. Mr P White**

6.1 Mr White's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay him a protective award of remuneration for the protected period of 90 days from 4 September 2017.

6.2 All Mr White's other claims are dismissed upon withdrawal by him.

**7. Miss C Moulding**

7.1 Miss Moulding's claim that the respondent failed to comply with the requirement under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The respondent is ordered to pay her a protective award of remuneration for the protected period of 90 days from 4 September 2017.

7.2 All Miss Moulding's other claims are dismissed on withdrawal by her.

**8. Miss S Jones**

The claims of Miss Jones are adjourned for hearing on 4 October 2018, if pursued.

**9. Mrs L Doughty**

The claims of Mrs Doughty is adjourned to 4 October 2018, if pursued.

**10. Recoupment Regulations the**

The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to any of the awards of loss of statutory rights for unfair dismissal but do apply to the protective award in the case of each claimant.

Regional Employment Judge Parkin

Date 29 August 2018

JUDGMENT SENT TO THE PARTIES ON

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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