



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4102533/2018

Mr A Reston

Claimant

Misco UK Limited (In Administration)

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

An Employment Judge has decided to issue the following judgment on the available material under rule 21:

- 1 The claimant was employed by the respondent.
- 2 On 19 October 2017, Geoffrey Paul Rowley, John Anthony Low, C P Dempster and Thomas Campbell Maclennan of FPR Advisory were appointed as Administrators of the respondent.
- 3 On 19 October 2017, the claimant was dismissed by the respondent, by reason of redundancy.
- 4 The respondent did not inform and consult with the claimant in accordance with the provisions of s.188 and s188A of The Trade Union and Labour Relations (Consolidation) Act 1992 ("the Act").
- 5 The claimant has raised a complaint pursuant to section 189 of the Act seeking a protective award in respect of that failure.

6 The Tribunal declares the claimant's claim is well founded; makes a protective award in favour of the description of employees which includes all employees of the respondent who were dismissed within 90 days of 19 October 2017; and orders the respondent to pay remuneration for a protected period of 8 weeks from 19 October 2017.

Employment Judge: M Whitcombe
Date of judgment: 01 February 2019
Judgment sent to parties: 01 February 2019