



EMPLOYMENT TRIBUNALS

Claimants: (1) Paul Appleton & Others and
(2) Lee Thomas & Others

Respondents: (1) Ultra Furniture Limited (In Administration) and
(2) The Secretary of State for BEIS

RECORD OF A PRELIMINARY HEARING

Heard at: Birmingham (by telephone) **On:** 16 July 2019

Before: Employment Judge Dimbylow

Appearances

For the 1st claimants: Ms N Toner, Solicitor

For the 2nd claimants: Mr J Tanner, Paralegal

For the 1st respondent: Not present or represented

For the 2nd respondent: Not present or represented

JUDGMENT ON AN OPEN PRELIMINARY HEARING

- (1) The complaint that the 1st respondent failed to comply with the requirements of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. More than 20 employees were made redundant by the 1st respondent within a 90-day period at one establishment.
- (2) I make a protective award in respect of all employees of the 1st respondent at its premises at: Building 66, 3rd Avenue, Pensnett Trading Estate, Kingswinford, Dudley, DY6 7GA who were dismissed as redundant on 7 June 2018 and order the 1st respondent to pay those employees remuneration for the protected period of 90 days beginning on 7 June 2018. The dismissals were over a period and I declare that each employee is entitled to an award in respect of 90 days, irrespective of the date of termination of their employment.
- (3) The claim by Mr C Harris-Green is dismissed upon withdrawal by him.
- (4) I have attached an annex to this judgement concerning recoupment of benefits.

Case Numbers: 1304112/2018 & 1304522/2018

Signed by Employment Judge Dimbylow
On 16 July 2019