



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4102738/2019

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Held in Edinburgh on 4 November 2019

**Employment Judge M Sangster
Tribunal Member Z Van Zwaneberg
Tribunal Member G Powell**

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Mr J McKenzie

**Claimant
Represented by
Ms A Bowman**

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A Miller & Son Limited

**First Respondent
Not present**

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Miller Bathrooms Limited

**Second Respondent
Not Present**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The unanimous judgment of the Tribunal is as follows (oral reasons having been given at the hearing, in accordance with rule 62(2) of the Employment Tribunal Rules of Procedure 2013):

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1. The first respondent no longer exists. The company was dissolved on 21 May 2019.

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2. The claimant was unfairly dismissed by the second respondent. The second respondent is ordered to pay to the claimant the sum of eight thousand, two

hundred and sixty eight pounds and eighty pence (£8,268.80) by way of compensation.

5 3. The second respondent is also ordered to pay to the claimant the sum of three thousand, five hundred and ninety one pounds (£3,591.00), as damages for failure to comply with the duty, under Regulation 13 of the Transfer of Employment (Protection of Employment) Regulations 2006, to inform and consult.

10 4. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply to this award. The prescribed element is £7,699.80 and relates to the period from 5 January 2019 to 1 April 2019. The monetary award exceeds the prescribed element by £4,160.

15 **Date of Judgment: 06 November 2019**

Employment Judge: Mel Sangster

Entered Into the Register: 07 November 2019

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And Copied to Parties