



# EMPLOYMENT TRIBUNALS

**Claimants:** Mr K Zurek & others (see attached schedule)

**Respondent:** J Rotherham Masonry Limited (in administration)

**Heard at:** Leeds (by telephone)

**On:** 10 July 2020

**Before:** Employment Judge Maidment

## Representation

**Claimants:** Mr S Pinder, Solicitor

Mr J Thompson, Solicitor

Mr O Bennett, in person and on behalf of 9 others

**Respondent:** Did not attend and no appearance entered

# JUDGMENT

1. No response having been received from the Respondent or any indication that these claims might be defended, the Tribunal considered it appropriate to issue Judgment pursuant to Rule 21 of the Employment Tribunals Rules of Procedure 2013.
2. The Tribunal declares that the Respondent has failed to comply with the requirements of Section 188 and 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 and makes a protective award that the Respondent shall pay remuneration to the Claimants on the attached schedule dismissed as redundant on 4 February 2020 and within 90 days of that date for a period of 90 days beginning on 4 February 2020.
3. The complaints of Mr K Zurek brought under case numbers 1801153/20 and 1802405/20 are dismissed upon their withdrawal.
4. The complaints of unfair dismissal and breach of contract brought by Mr P Glowaty under case number 1801154/20 are dismissed on the basis that they are not being actively pursued. For the avoidance of doubt, Mr Glowaty is included in the attached schedule of Claimants benefitting from a protective award.

**Case No: 1801153/2020 & others (A)**

Employment Judge Maidment

Date 10 July 2020

JUDGMENT SENT TO THE PARTIES ON

Date 17 July 2020