



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4106995/2019 & others as per multiple ref 9096

5

Employment Judge S Walker

10 **Ms L Taylor & others as per schedule**

Claimant

Hourstons Ltd (in Liquidation)

Respondent

15

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

ISSUED BY CONSENT UNDER RULE 64 OF THE EMPLOYMENT TRIBUNAL

20

RULES OF PROCEDURE 2013

The Judgment of the Employment Tribunal issued by consent of the parties is that:

1. The Claimants are as listed in the multiple schedule to Tribunal claim 4106995/2019. The Claimants' respective claim numbers are 4106995/2019 – 4107027/2019 inclusive.
- 25 2. The Claimants were employed by Hourstons Limited, which is now known as Hourstons Limited (In Liquidation).
3. On 28 February 2019, Linda Barr and Eileen Blackburn of French Duncan LLP were appointed as Joint Liquidators of the Respondent. Ms Barr and Ms Blackburn remain appointed at the time of this judgment.
- 30 4. On 29 February 2019, the Claimants were dismissed by the Respondent by reason of redundancy.

E.T. Z4 (WR)

5. The Respondent did not inform and consult with the Claimants on a collective basis, in accordance with the provisions of s.188 and s.188A of The Trade Union and Labour Relations (Consolidation) Act 1992 (“the Act”). The Respondent accepts that the duty to collectively consult was triggered in relation to the Claimants’ redundancy dismissals.
6. The Claimants have raised a complaint pursuant to section 189 of the Act seeking a protective award in respect of that failure.
7. The Tribunal declares that the Claimants’ protective award claims are well founded and makes a protective award in favour of the Claimants. The Tribunal orders the Respondent to pay remuneration for a protected period of 8 weeks from 28 February 2019.
8. As well as the protective award claims, the Claimants also raised claims for alleged non-payment of notice pay. The Tribunal acknowledges that the notice pay claims have been withdrawn by the Claimants; the Claimants having already been compensated in this respect via the Redundancy Payments Office.

20

S Walker
Employment Judge

06 September 2019
Date of Judgment

25

Date sent to parties

10 September 2019