



# EMPLOYMENT TRIBUNALS

**Claimants:**

Mr M McGill (1)  
Mr A McGuigan (2)  
Mr M S Mohamed Manzoor (3)  
Mr D Patel (4)  
Mr K Rashid (5)  
Mr D Justice (6)  
Mrs K McGuigan (7)

v

**Respondent:**

Better Bathrooms (UK) Limited  
(In administration)

**Heard at:**

Reading

**On:** 16 December 2020

**Before:**

Employment Judge Hawksworth (sitting alone)

**Appearances**

**For the second and seventh claimants:**

In person

**For the other claimants:**

No attendance or representation

**For the Respondent:**

No attendance or representation

## JUDGMENT

1. The administrators of the respondent having given their consent to the claimants' claims proceeding, the judgment of the tribunal is as follows.

Protective award

2. Mr McGill, Mr McGuigan, Mr Justice and Mrs McGuigan were employed at the respondent's Didcot location where there were 78 employees employed by the respondent. They are entitled to a declaration that the respondent failed to inform or consult them in respect of the redundancies that took place within a period of 90 days. They are entitled to a protective award.
3. There has been no reason put forward to mitigate the 90 day protective award period. The tribunal considers that it is just and equitable to award the maximum period of 90 days.
4. The protected period begins on 1 March 2019 and is for a 90 day period. Mr McGill, Mr McGuigan, Mr Justice and Mrs McGuigan are entitled to a protective award of remuneration for the protected period.

Other complaints:

Mr M McGill

5. Mr McGill has not replied to the tribunal's correspondence of 7 October 2019 and 10 December 2019. He has not provided any details of the amount of arrears of pay, notice pay or holiday pay he says he is owed. Those complaints are dismissed.

Mr A McGuigan

6. The respondent made unauthorised deductions from Mr McGuigan's wages in December 2018, January 2019 and February 2019. The respondent is ordered to pay Mr McGuigan arrears of pay in the sum of £1,409.28.
7. Mr McGuigan's claims for redundancy pay, other arrears of pay, notice pay and holiday pay are dismissed as he has received payments in respect of these from the Secretary of State for Business, Energy and Industrial Strategy.

Mr M S Mohamed Manzoor

8. Mr Manzoor has not replied to the tribunal's correspondence of 7 October 2019 and 10 December 2019. He has not provided any evidence of the amount of redundancy pay and notice pay he says he is owed or of the basis of his claim for a protective award. His complaints are dismissed.

Mr D Patel

9. Mr Patel has not replied to the tribunal's correspondence of 7 October 2019 and 10 December 2019. He has not provided any evidence of the amount of redundancy pay, arrears of pay, notice pay or holiday pay he says he is owed or of the basis of his claim for a protective award. His complaints are dismissed.

Mr K Rashid

10. Mr Rashid has not replied to the tribunal's correspondence of 10 December 2019. He has not provided any evidence of the amount of notice pay and holiday pay he says he is owed. His complaints are dismissed.

Mr D Justice

11. Mr Justice has not replied to the tribunal's correspondence of 7 October 2019 and 10 December 2019. He has not provided any evidence of the amount of notice pay or arrears of pay he says he is owed or of the basis of his claim for a protective award. Those complaints are dismissed.

Mrs K McGuigan

12. It was not reasonably practicable for Mrs McGuigan to present her claim within the required three month period. Her claim was presented within such further period as the tribunal considers reasonable. The tribunal therefore had jurisdiction to consider her claim for a protective award as set out above.

Decision made in the absence of some of the claimants

13. Mr McGill, Mr M S Mohamed Manzoor, Mr D Patel, Mr K Rashid and Mr D Justice did not attend and were not represented at the hearing today. The tribunal considered rule 47 and the information available to it and decided to proceed with the hearing in their absence. If there are good reasons for a claimant's failure to reply to the tribunal correspondence of 7 October 2019 and/or 10 December 2019 and for their non-attendance at the hearing today, they may write to the tribunal to explain, and to ask for this judgment to be reconsidered. If they do that, they must also provide any information previously requested by the tribunal.

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**Employment Judge Hawksworth**

Date: 16 December 2020

Sent to the parties on: ..12/1/21..

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For the Tribunal Office

**Note:**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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All judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

**Case Numbers: 3310998/2019, 3313561/2019, 3313580/2019,  
3313582/2019, 3313907/2019, 3314382/2019 and 3302723/2020**

3310998/2019 Mr M McGill

3313561/2019 Mr A McGuigan

3313580/2019 Mr MS Mohamed Manzoor

3313582/2019 Mr D Patel

3313907/2019 Mr K Rashid

3314382/2019 Mr D Justice

3302723/2020 Mrs K McGuigan