



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4104954/2020 & Others
Employment Judge P O'Donnell

Mr M Andrew

Claimant

Worton Utilities Ltd

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The Employment Judge has decided to issue the following judgment on the available material under rule 21.

1. The claimants are entitled to bring this claim because the complaint concerns a failure relating to the election of employee representatives, and the claimant was an employee dismissed as redundant.
2. No response was presented to this claim within the applicable time limit.
3. The complaint that the respondent failed to comply with a requirement of section 188 & 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.
4. The respondent dismissed as redundant more than 20 employees at one establishment within a period of 90 days or less.
5. The respondent failed to ensure that employee representatives were elected in accordance with S.188A, and then to consult with them in accordance with s.188.
8. The Tribunal makes a protective award in respect of all those employees dismissed as redundant on 30 April 2020 and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 30 April 2020 and is for 90 days.

Employment Judge: Peter O'Donnell

Date of Judgment: 15 March 2021

Entered in register: 09 September 2021
and copied to parties

Multiple Schedule

Multiple: 9524 - Worton Utilities Limited

CaseNumber

CaseName

4104957/2020 Mr Gordon Martin Corbett -v- Worton Utilities Limited
4104956/2020 Mr Shaun Alexander Harris -v- Worton Utilities Limited
4104954/2020 Mr Mark Andrew -v- Worton Utilities Limited & Others
4104960/2020 Mr Kieran Taylor -v- Worton Utilities Limited
4104955/2020 Mr Mark Andrew -v- Worton Utilities Limited
4104959/2020 Mr RyanTolmie -v- Worton Utilities Limited
4104961/2020 Mr Steven Ford -v- Worton Utilities Limited
4104962/2020 Mr Mark George Still -v- Worton Utilities Limited
4104958/2020 Mr Craig David Samson-v- Worton Utilities Limited