



EMPLOYMENT TRIBUNALS

Claimants: Miss C Webb & Others (See Schedule)

Respondent: Formation Furniture Limited (In Administration)

JUDGMENT

1. UPON a reconsideration of the judgment dated 14 September 2021 on the Tribunal's own initiative under rule 73 of the Employment Tribunals Rules of Procedure 2013, and without a hearing:

a. The following claimants have permission to amend their claim to include a claim for a protective award under Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 ("TULR(C)A 1992") and they are to be included in the schedule of claimants listed in the schedule attached to the judgment of 14 September 2021 ("Schedule").

- i. 1600010/2021 Mr L Lewandowski
- ii. 1600033/2021 Mrs I Frasin
- iii. 1602036/2021 Mr DJ Keetch
- iv. 1602240/2020 Mrs P Bees
- v. 1602764/2020 Mr MP Erik

b. The following claimants had brought claims for a protective award under Section 188 of the TULR(C)A 1992 prior to the final merits hearing on 14 September 2021 but their names had been omitted from the Schedule as a result of a clerical error. The names are to be included in the Schedule:

- i. 1602013/2020 – Ms J Butler
- ii. 1602018/2020 – Mr R Hughes

2. The remainder of the judgment of 14 September 2021 is unvaried.

REASONS

1. The claimants had all brought claims in the Wales Employment Tribunal which had been issued prior to the final merits hearing which had taken place by video on 14 September 2021.

2. Prior to the final merits hearing, claimants who had not indicated that they were bringing a claim for a protective award were asked if they wished to amend their claim.
3. By the date of the final merits hearing, the following claimants had still not responded and were not included within the schedule of claimants attached to the judgment given on 14 September 2021 and sent to the parties on 14 September 2021:
 - a. 1600010/2021 Mr L Lewandowski
 - b. 1600033/2021 Mrs I Frasin
 - c. 1602036/2021 Mr DJ Keetch
 - d. 1602240/2020 Mrs P Bees
 - e. 1602764/2020 Mr MP Erik
3. Since the final merits hearing however these claimants have sought permission to amend their claims and permission has been granted having applied the overriding objective and following consideration of the claimants' written submissions on amendment.
4. On that basis, I have reconsidered the judgment and concluded that their names should be added to the Schedule attached to the judgment.
5. Further, I concluded that the following claimants had been omitted from the Schedule in error and that in those circumstances, the Schedule should be further varied to include their claims:
 - a. 1602013/2020 – Ms J Butler
 - b. 1602018/2020 – Mr R Hughes

Employment Judge Brace

Date: 24 February 2022

JUDGMENT SENT TO THE PARTIES ON

24 February 2022

FOR THE TRIBUNAL OFFICE

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