



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4111494/2021 & others per attached schedule

Employment Judge L Wiseman

**D Gibson
(and others per attached schedule)**

Claimant

Elecore Electrical Limited (In liquidation)

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 claimant is 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. In its response the respondent indicated that it did not contest the claim.

3. The respondent is in compulsory liquidation but the relevant court granted permission for the continuation of these proceedings on 22 April 2022.
4. The complaint that the respondent failed to comply with a requirement of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.
5. The respondent dismissed as redundant more than 20 employees at one establishment within a period of 90 days or less.
6. 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.
7. The Tribunal makes a protective award in respect of all employees dismissed by reason of redundancy at Elecore Electrical Ltd, Unit 2, Building 3, Irvine Road, Largs, KA30 8EZ and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 15 July 2021 and is for 90 days.

Employment Judge: Lucy Wiseman
Date of Judgment: 28 April 2022
Entered in register: 03 May 2022
and copied to parties

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4111506/2021 4111507/2021 4111508/2021 4111509/2021
4111510/2021 4111511/2021 4111512/2021 4111513/2021

Claimant: Mr D Gibson Mr D Gibson Mr D Shields Mr D Samson
Mr J Nimmo Mr C Baird Mr C McGinlay Mr M McMullan
Mr E Kelly Mr L Cassels Mr B Harkins Mr C Drummond
Mr R Johnstone Mr J Stark Mr M McNamara Mr B Hughes
Mr L Pollard Mr I Young Mr S Hunter Mr D O'Donnell

Respondent: Elecore Electrical Ltd (In compulsory liquidation)

CASE MANAGEMENT ORDER Employment Tribunals Rules of Procedure 2013

Having considered any representations made by the parties an Employment Judge
ORDERS that -

The above claims be considered together.

Employment Judge : Mary Kearns
Date: 12 November 2021

Any party affected by this order may make an application under Rule 29 for this Order to be varied or revoked. The application should set out the reason why you say that the Order should be varied, suspended or set aside. **You must confirm when making the application that you have copied it to the other party(ies) and notified them that they should provide the Tribunal with any objections to the application as soon as possible**