



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Prokop

**Respondent:** C1 Realisations (2020) Limited (In Administration)

## JUDGMENT

(1) The respondent has failed to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992. The claim for a protective award succeeds.

(2) The Tribunal makes a protective award in respect of the claimant, who worked at the respondent's establishment at Milton Keynes and was dismissed as redundant on 14 May 2020, that the employer pay remuneration for the protected period which begins on 14 May 2020 and is for a period of 90 days. The Recoupment Regulations apply.

## REASONS

1. The claimant was employed by the respondent at its establishment (a restaurant) in Milton Keynes and was made redundant on 14 May 2020. He was part of a workforce of 29 employees who were made redundant or placed at risk of redundancy on the same day.
2. Evidence has been filed confirming that there was no recognised trade union or elected employee representatives.
3. The respondent is in administration but the administrators have given their consent to proceed. The respondent has not filed a response disputing the claims.
4. There appears to be no reason to depart from the principle that protective awards are punitive and should be for the maximum period unless there are circumstances making it just not to do so.
5. It would be disproportionate to hold a hearing in these circumstances

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Regional Employment Judge Foxwell

Date: 30 June 2022

JUDGMENT SENT TO THE PARTIES ON

15/7/2022

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FOR THE TRIBUNAL OFFICE

Notes

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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