



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4114763/2019

Employment Judge Susan Walker

Unite The Union

Claimant

Thomas Cook Airlines 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 representatives of a trade union, and the claimant is the relevant union.
2. No response was presented to this claim within the applicable time limit.

3. The respondent is in compulsory liquidation but the relevant court granted permission for the continuation of these proceedings on 4 February 2021.
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 Tribunal makes a protective award in respect of all affected employees of the Respondent:
 - (i) who were employed at Glasgow Airport
 - (ii) who were dismissed as redundant by the Respondent or whom the respondent proposed to dismiss as redundant
 - (iii) who were of a description in respect of whom the claimant was recognised and who fell within the bargaining unit covered by the Recognition Agreement between the respondent and the claimant.
7. The respondent is ordered to pay remuneration for the protected period. The protected period begins with 23 September 2019 and lasts for 90 days.

Employment Judge: Susan Walker
Date of Judgment: 15 July 2021
Entered in register: 26 July 2021
and copied to parties