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## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4100152/2021 & Others (See attached list)**

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**Mr C Hodgens & Others  
(See attached list)**

**Claimants**

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**MSB Admiral Ardoe Ltd**

**Respondents**

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## **JUDGMENT**

### **Rule 21 of the Employment Tribunal Rules of Procedure 2013**

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

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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. No response was presented to this claim within the applicable time limit.
3. The respondent is in creditors voluntary liquidation. No permission for the continuation of these proceedings is necessary.

**4100152/2021 & Others**

4. The complaint that the respondent failed to comply with a requirement of section 188A 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 the claimants, who have all been dismissed as redundant and the respondent is ordered to pay remuneration for the protected period which begins with 22 November 2020 having regard to S.189(4)(a) and is for 90 days.

Employment Judge: Robert Gall  
Date of Judgment: 10 May 2021  
Entered in register: 10 May 2021  
and copied to parties

## Multiple Schedule

Multiple:

9638 - Msb Admiral Ardoe Ltd

Case Number	Case Name
4100152/2021	Mr Chris Hodgens -v- MSB Admiral Ardoe Ltd
4100153/2021	Mr Dariusz Filipiak -v- MSB Admiral Ardoe Ltd
4100154/2021	Mr Omar Alaaeldin Omar Abdelazim -v- MSB Admiral Ardoe Ltd
4100155/2021	Mr Ernests Haritonovs -v- MSB Admiral Ardoe Ltd
4100156/2021	Mr Woyciech Dabrowski -v- MSB Admiral Ardoe Ltd
4100157/2021	Mr Szymon Galuba -v- MSB Admiral Ardoe Ltd
4100158/2021	Mr Antonio Cappuccio -v- MSB Admiral Ardoe Ltd
4100159/2021	Mr Gordon Copeland -v- MSB Admiral Ardoe Ltd
4100160/2021	Miss Maria Cuervas-Mons -v- MSB Admiral Ardoe Ltd
4100161/2021	Miss Florentina Dicu -v- MSB Admiral Ardoe Ltd
4100162/2021	Miss Louise Donald -v- MSB Admiral Ardoe Ltd
4100163/2021	Mr Pawel Lyszczek -v- MSB Admiral Ardoe Ltd
4100164/2021	Miss Viktoria Nacke -v- MSB Admiral Ardoe Ltd
4100165/2021	Miss Daniela Florentina Nae -v- MSB Admiral Ardoe Ltd
4100166/2021	Miss Georgeta Valentina Staicu -v- MSB Admiral Ardoe Ltd
4100167/2021	Miss Caterina-Manuela Toader -v- MSB Admiral Ardoe Ltd
4100168/2021	Mr Karel Schrijvers -v- MSB Admiral Ardoe Ltd
4100169/2021	Miss Elena Ciccotti -v- MSB Admiral Ardoe Ltd
4100170/2021	Miss Cara Motion -v- MSB Admiral Ardoe Ltd
4100171/2021	Miss Rachel Emma Barr -v- MSB Admiral Ardoe Ltd
4100172/2021	Miss Dana Dunbar -v- MSB Admiral Ardoe Ltd
4100173/2021	Mr Vasileios Perdikaris -v- MSB Admiral Ardoe Ltd
4100174/2021	Miss Antoinette Gear -v- MSB Admiral Ardoe Ltd
4100175/2021	Mr Benoit Vergels -v- MSB Admiral Ardoe Ltd
4100176/2021	Miss Stephanie Hoare -v- MSB Admiral Ardoe Ltd
4100177/2021	Mr Michal Gieracki -v- MSB Admiral Ardoe Ltd
4100178/2021	Mr Paul Tosh -v- MSB Admiral Ardoe Ltd
4100179/2021	Mr Chris Hodgens -v- MSB Admiral Ardoe Ltd
4100180/2021	Miss Baksho Rahul -v- MSB Admiral Ardoe Ltd
4100181/2021	Mr James Morton -v- MSB Admiral Ardoe Ltd
4100182/2021	Mr Lukasz Spiel -v- MSB Admiral Ardoe Ltd
4100183/2021	Mr Myin Mohammed Uddin -v- MSB Admiral Ardoe Ltd
4100184/2021	Miss Mirella Rittlewska -v- MSB Admiral Ardoe Ltd
4100185/2021	Miss Karolina Borowiecka -v- MSB Admiral Ardoe Ltd
4100186/2021	Miss Kirsty Chapman -v- MSB Admiral Ardoe Ltd
4100187/2021	Miss Katarzyna Damasiewicz -v- MSB Admiral Ardoe Ltd
4100188/2021	Mr Hidayat Guliyev -v- MSB Admiral Ardoe Ltd
4100189/2021	Mr Marek Kula -v- MSB Admiral Ardoe Ltd
4100190/2021	Miss Viet-Hang le -v- MSB Admiral Ardoe Ltd
4100191/2021	Miss Jekaterina Misunina -v- MSB Admiral Ardoe Ltd
4100192/2021	Mr Jack Mitchell -v- MSB Admiral Ardoe Ltd
4100193/2021	Mr Geza-Adrian Racz -v- MSB Admiral Ardoe Ltd
4100194/2021	Miss Elena Hefter -v- MSB Admiral Ardoe Ltd
4100195/2021	Miss Ioana-Emilia Cosoreanu -v- MSB Admiral Ardoe Ltd
4100196/2021	Miss Carmen-Otilia Dinicu -v- MSB Admiral Ardoe Ltd
4100197/2021	Mr Constantin Cristisor -v- MSB Admiral Ardoe Ltd

4100198/2021	Miss Diana Gerasimova -v- MSB Admiral Ardoe Ltd
4100199/2021	Mr Maksim Muhhin -v- MSB Admiral Ardoe Ltd
4100200/2021	Mr Artiom Misunin -v- MSB Admiral Ardoe Ltd
4100201/2021	Mr Gheorghe Serban -v- MSB Admiral Ardoe Ltd
4100202/2021	Miss Rhianne Gear -v- MSB Admiral Ardoe Ltd