



# EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4104224/2020

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Employment Judge D Hoey

Mr P Merchant and others as per schedule

Claimant

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Moffat Electrical Services Limited (in Liquidation)

Respondent

## JUDGMENT

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

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under rule 21:

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1. In respect of each of the claimants (who are each affected employees) whose details are set out in the attached Schedule, the Tribunal makes the following declaration:

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a. The respondent was proposing to dismiss as redundant 20 or more employees at one establishment (its entire business unit) within 90 days and failed to elect employee representatives in breach of section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992;

b. The first respondent failed to consult about the dismissals in breach of section 188 (1A), section 188(2) and section 188(4).

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2. The claimants are each entitled to a protective award against the respondent, the protected period being 90 days from 23 June 2020, the date of the first dismissal.

3. The Employment Protection (Recoupment of Benefit) Regulations 1996 apply to this award.

Employment Judge: David Hoey  
Date of Judgment: 01 October 2020  
Entered in register: 09 October 2020  
and copied to parties

## Multiple Schedule

Multiple: 9470 - Moffat Electrical Services Limited

Case Number	Case Name
4104224/2020	Mr Paul Merchant -v- Moffat Electrical Services Limited
4104225/2020	Mr Colin Crawford -v- Moffat Electrical Services Limited
4104226/2020	Mr Andrew Clark Gourlay -v- Moffat Electrical Services Limited
4104227/2020	Mr Aiden McLaren -v- Moffat Electrical Services Limited
4104228/2020	Mr John Sykes -v- Moffat Electrical Services Limited
4104229/2020	Mr Paolo Conte -v- Moffat Electrical Services Limited
4104230/2020	Mr Thomas Jamieson -v- Moffat Electrical Services Limited
4104231/2020	Mr William Loudon -v- Moffat Electrical Services Limited
4104232/2020	Ms Emma McMillan -v- Moffat Electrical Services Limited
4104233/2020	Mr Kieran Pollock -v- Moffat Electrical Services Limited
4104234/2020	Mr Paul Gillespie -v- Moffat Electrical Services Limited
4104235/2020	Mr David McClean -v- Moffat Electrical Services Limited
4104236/2020	Mr Stephen Patrick Furley -v- Moffat Electrical Services Limited
4104237/2020	Mr Thomas Ward -v- Moffat Electrical Services Limited
4104238/2020	Mr Michael Gibbons -v- Moffat Electrical Services Limited
4104239/2020	Mr Jamie John Newton -v- Moffat Electrical Services Limited
4104240/2020	Mr Neil McGuire -v- Moffat Electrical Services Limited
4104241/2020	Mr Lorraine McInnes -v- Moffat Electrical Services Limited
4104242/2020	Ms Stephen McLaughlin -v- Moffat Electrical Services Limited
4104243/2020	Mr Ryan Bruce -v- Moffat Electrical Services Limited
4104244/2020	Mr Martin Barclay -v- Moffat Electrical Services Limited
4104245/2020	Mr John Ferguson -v- Moffat Electrical Services Limited
4104246/2020	Mr Wilson Kelly -v- Moffat Electrical Services Limited
4104247/2020	Mr John Ritchie -v- Moffat Electrical Services Limited