



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4107713/2020 & others as per multiple ref 9613

Mr I Noor & others as per attached schedule

Claimant

EK Sales Ltd (In Liquidation)

Respondents

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 claimants are entitled to bring this claim because none of the situations in s.189(1)(a), (b) or (c) of the Trade Union and Labour Relations (Consolidation) Act 1992 apply and the claimants were employees dismissed as redundant.
- 2 No response was presented to this claim within the applicable time limit.
- 3 The respondent is in liquidation being a creditor's voluntary liquidation.
- 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 and the respondent is ordered to pay remuneration for the protected period. The protected period begins on 30 September 2020 having regard to s.189(4)(a) and is for 90 days.

Employment Judge: R Gall
Date of Judgment: 23 February 2021
Entered in register: 25 February 2021
and copied to parties

Multiple Schedule

Multiple:

9613 - Ek Sales Ltd

Case Number	Case Name
4107713/2020	Mr Imran Noor -v- EK Sales Ltd (In Liquidation)
4107714/2020	Imran Noor -v- EK Sales Ltd (In Liquidation)
4107715/2020	Sara-Anne Haughian -v- EK Sales Ltd (In Liquidation)
4107716/2020	David Mclver -v- EK Sales Ltd (In Liquidation)
4107717/2020	Scott MacIntyre -v- EK Sales Ltd (In Liquidation)
4107718/2020	Ian Whitehead -v- EK Sales Ltd (In Liquidation)
4107719/2020	Allan Woodhead -v- EK Sales Ltd (In Liquidation)
4107720/2020	Mark Leonard -v- EK Sales Ltd (In Liquidation)
4107721/2020	Donald Muir -v- EK Sales Ltd (In Liquidation)
4107722/2020	Tayyib Chaudhri -v- EK Sales Ltd (In Liquidation)
4107723/2020	Jack Muir -v- EK Sales Ltd (In Liquidation)
4107724/2020	Kieran Cranie -v- EK Sales Ltd (In Liquidation)
4107725/2020	David Aitken -v- EK Sales Ltd (In Liquidation)
4107726/2020	Kristina Wiggins -v- EK Sales Ltd (In Liquidation)
4107727/2020	Brandon Paton -v- EK Sales Ltd (In Liquidation)
4107728/2020	Ailsa Wylie -v- EK Sales Ltd (In Liquidation)
4107729/2020	Liam McMahon -v- EK Sales Ltd (In Liquidation)
4107730/2020	Robin Hilton -v- EK Sales Ltd (In Liquidation)
4107731/2020	Stuart Noble -v- EK Sales Ltd (In Liquidation)
4107732/2020	Jade Learmonth -v- EK Sales Ltd (In Liquidation)
4107733/2020	Haider Hashmi -v- EK Sales Ltd (In Liquidation)
4107734/2020	Scott McLeod -v- EK Sales Ltd (In Liquidation)
4107735/2020	Christopher Goodwin -v- EK Sales Ltd (In Liquidation)
4107736/2020	Lorna Gallagher -v- EK Sales Ltd (In Liquidation)
4107737/2020	Khalid Hassan -v- EK Sales Ltd (In Liquidation)
4107738/2020	Kieran Monaghan -v- EK Sales Ltd (In Liquidation)
4107739/2020	Stuart Fyfe -v- EK Sales Ltd (In Liquidation)
4107740/2020	Jack Campbell -v- EK Sales Ltd (In Liquidation)
4107741/2020	Sean Gill -v- EK Sales Ltd (In Liquidation)
4107742/2020	Ann Marie Frame -v- EK Sales Ltd (In Liquidation)
4107743/2020	Michael McMillan -v- EK Sales Ltd (In Liquidation)
4107744/2020	Scott Kane -v- EK Sales Ltd (In Liquidation)
4107745/2020	Russell Ferguson -v- EK Sales Ltd (In Liquidation)
4107746/2020	Andy Gowans -v- EK Sales Ltd (In Liquidation)
4107747/2020	Alison Campbell -v- EK Sales Ltd (In Liquidation)
4107748/2020	Imran Noor -v- EK Sales Ltd (In Liquidation)
4107749/2020	Patryk Komendera -v- EK Sales Ltd (In Liquidation)
4107750/2020	Paul Chidwick -v- EK Sales Ltd (In Liquidation)
4107751/2020	Justin Tait -v- EK Sales Ltd (In Liquidation)
4107752/2020	Thomas Omnet -v- EK Sales Ltd (In Liquidation)
4107753/2020	Tracy McKeraghan -v- EK Sales Ltd (In Liquidation)
4107754/2020	George Henderson -v- EK Sales Ltd (In Liquidation)
4107755/2020	Lauren Abraham -v- EK Sales Ltd (In Liquidation)
4107756/2020	Stephen Kirkwood -v- EK Sales Ltd (In Liquidation)
4107757/2020	Alison Campbell -v- EK Sales Ltd (In Liquidation)
4107758/2020	Blair Dick -v- EK Sales Ltd (In Liquidation)

4107759/2020	Jordan Magee -v- EK Sales Ltd (In Liquidation)
4107760/2020	Scott Gaughan -v- EK Sales Ltd (In Liquidation)
4107761/2020	Kirsty Paterson -v- EK Sales Ltd (In Liquidation)