



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number. 4104981/2022 & others (see attached schedule)

Employment Judge M Robison

Mr W McLean & others

Claimant

Eclipse Generics Ltd (In Administration)

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 claimants are entitled to bring this claim because the complaint concerns a failure relating to the election of employee representatives, and the claimants were employees dismissed as redundant. There was no recognised trade union involved.
2. No response was presented to these claims within the applicable time limit.

3. The respondent is in administration, but the administrator consented to the continuation of these proceedings in a letter dated 17 October 2022.
4. The complaint that the respondent failed to comply with a requirement of section 193 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 employees dismissed as redundant by the respondent at their site at 1 Langlands Place, Glasgow, South Lanarkshire, G75 OYF and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 9 May 2022 and is for 90 days.

Employment Judge: M Robison
Date of Judgement: 05 December 2022
Entered in register: 08 December 2022
and copied to parties