



EMPLOYMENT TRIBUNALS

Claimant: Ms K Anderson & Others
(as per attached Schedule)

Respondent: 1. Roadbridge UK Limited (in administration)
2. Secretary of State for Business, Energy & Industrial Strategy

JUDGMENT

- (1) The respondent has failed to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992. The claim for a protective award succeeds.
- (2) The Tribunal makes a protective award in respect of the claimants who worked at the respondent's establishment at 3a Falcon Gate, Welwyn Garden City, Hertfordshire AL7 1TW and who were dismissed as redundant on or after 16 March 2022 that the employer pay remuneration for the protected period which begins on 16 March 2022 and is for a period of 90 days. The Recoupment Regulations apply.

REASONS

1. There are 25 claimants.
2. It appears that the claimants were employed at the same establishment in Welwyn Garden City and were made redundant on or after 16 March 2022.
3. The claimants assert that there was no recognised trade union or elected employee representatives.
4. It appears that 20 or more employees at the establishment were made redundant or placed at risk of redundancy, on or within 90 days of 16 March 2022.
5. The claimants were dismissed during this period without any consultation having taken place.

6. The first respondent has not filed a response and the second response has filed a response admitting that the first respondent is insolvent within the meaning in the Employment Rights Act 1996. In these circumstances it would be disproportionate to convene a hearing.
7. There appears to be no reason to depart from the principle that protective awards are punitive and should be for the maximum period unless there are circumstances making it just not to do so.

Regional Employment Judge Foxwell

Date: 23 January 2023

JUDGMENT SENT TO THE PARTIES ON
25 January 2023

FOR THE TRIBUNAL OFFICE

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