



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4106503/2022 & 82 others (see attached schedule)

Employment Judge P O'Donnell

Mr J Cavanagh & others

Claimant

McGill Facilities Management Limited (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 an e-mail dated 7 December 2022.
4. The complaint that the respondent failed to comply with a requirement of section 188 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 Harrison Road, Dundee, DD2 3SN and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 25 August 2022 and is for 90 days.

Employment Judge: P O'Donnell
Date of Judgment: 5 January 2023
Entered in register: 11 January 2023
and copied to parties

Multiple Schedule		
Multiple:	4100322 - McGill Facilities Management Limited (in Administration)	
Case Number	Claimant	Respondent
4106503/2022	Mr James Cavanagh	McGill Facilities Management Limited (in Administration)
4106504/2022	Mr matthew archibald	McGill Facilities Management Limited (in Administration)
4106505/2022	Mrs elaine beaton	McGill Facilities Management Limited (in Administration)
4106506/2022	Mr joshua beattie	McGill Facilities Management Limited (in Administration)
4106507/2022	Mr john beavis	McGill Facilities Management Limited (in Administration)
4106508/2022	Mr david beggs	McGill Facilities Management Limited (in Administration)
4106509/2022	Mr kevin bennett	McGill Facilities Management Limited (in Administration)
4106510/2022	Mr euan borland	McGill Facilities Management Limited (in Administration)
4106511/2022	Mr thomas brodie	McGill Facilities Management Limited (in Administration)
4106512/2022	Mr james brogan	McGill Facilities Management Limited (in Administration)
4106513/2022	Mr callum brogan	McGill Facilities Management Limited (in Administration)
4106514/2022	Mr daniel brogan	McGill Facilities Management Limited (in Administration)
4106515/2022	Mr bruce burnett	McGill Facilities Management Limited (in Administration)
4106516/2022	Mrs sheila carle	McGill Facilities Management Limited (in Administration)
4106517/2022	Ms chelsea carling	McGill Facilities Management Limited (in Administration)
4106518/2022	Mr connor carling	McGill Facilities Management Limited (in Administration)

4106519/2022	Mr ryan connor	McGill Facilities Management Limited (in Administration)
4106520/2022	Mr darren dalgarno	McGill Facilities Management Limited (in Administration)
4106521/2022	Mr denys de klerk	McGill Facilities Management Limited (in Administration)
4106522/2022	Ms alison dickson	McGill Facilities Management Limited (in Administration)
4106523/2022	Mr craig drummond	McGill Facilities Management Limited (in Administration)
4106524/2022	Mr david drummond	McGill Facilities Management Limited (in Administration)
4106525/2022	Mr alexander duncan	McGill Facilities Management Limited (in Administration)
4106526/2022	Mr mark duncan	McGill Facilities Management Limited (in Administration)
4106527/2022	Mr john elder	McGill Facilities Management Limited (in Administration)
4106528/2022	Ms jane falconer	McGill Facilities Management Limited (in Administration)
4106529/2022	Mr andy finlay	McGill Facilities Management Limited (in Administration)
4106530/2022	Mr alistair firth	McGill Facilities Management Limited (in Administration)
4106531/2022	Mr neil fotheringham	McGill Facilities Management Limited (in Administration)
4106532/2022	Mr saul fotheringham	McGill Facilities Management Limited (in Administration)
4106533/2022	Mr william gunn	McGill Facilities Management Limited (in Administration)
4106534/2022	Mr paul hargreaves	McGill Facilities Management Limited (in Administration)
4106535/2022	Mr roy heenan	McGill Facilities Management Limited (in Administration)

4106536/2022	Mr darren henderson	McGill Facilities Management Limited (in Administration)
4106537/2022	Mr john ironside	McGill Facilities Management Limited (in Administration)
4106538/2022	Mr peter jackson	McGill Facilities Management Limited (in Administration)
4106539/2022	Mr stephen johnstone	McGill Facilities Management Limited (in Administration)
4106540/2022	Mrs carol jolicoeur	McGill Facilities Management Limited (in Administration)
4106541/2022	Mr richard kenny	McGill Facilities Management Limited (in Administration)
4106542/2022	Mr james kidd	McGill Facilities Management Limited (in Administration)
4106543/2022	Mr errol lawrie	McGill Facilities Management Limited (in Administration)
4106544/2022	Mr matthew lawrie	McGill Facilities Management Limited (in Administration)
4106545/2022	Mr chris lawson	McGill Facilities Management Limited (in Administration)
4106546/2022	Mr greg lyall	McGill Facilities Management Limited (in Administration)
4106547/2022	Mr mark mcconnell	McGill Facilities Management Limited (in Administration)
4106548/2022	Mr scott mccord	McGill Facilities Management Limited (in Administration)
4106549/2022	Ms elizabeth mcdougall	McGill Facilities Management Limited (in Administration)
4106550/2022	Mr james mcilravey	McGill Facilities Management Limited (in Administration)
4106551/2022	Mr thomas mcintosh	McGill Facilities Management Limited (in Administration)
4106552/2022	Mr fraser mckay	McGill Facilities Management Limited (in Administration)

4106553/2022	Mr bruce mills	McGill Facilities Management Limited (in Administration)
4106554/2022	Mr kenneth moncrieff	McGill Facilities Management Limited (in Administration)
4106555/2022	Mr craig morrison	McGill Facilities Management Limited (in Administration)
4106556/2022	Mr josh muir	McGill Facilities Management Limited (in Administration)
4106557/2022	Mr kenneth muir	McGill Facilities Management Limited (in Administration)
4106558/2022	Mr ethan nicoll	McGill Facilities Management Limited (in Administration)
4106559/2022	Mr ryan nugent	McGill Facilities Management Limited (in Administration)
4106560/2022	Mr ryan paterson	McGill Facilities Management Limited (in Administration)
4106561/2022	Mr neil paterson	McGill Facilities Management Limited (in Administration)
4106562/2022	Mr jamie petrie	McGill Facilities Management Limited (in Administration)
4106563/2022	Mr gavin quirk	McGill Facilities Management Limited (in Administration)
4106564/2022	Mr cameron reid	McGill Facilities Management Limited (in Administration)
4106565/2022	Mr billy robertson	McGill Facilities Management Limited (in Administration)
4106566/2022	Mr paul robertson	McGill Facilities Management Limited (in Administration)
4106567/2022	Mr peter robertson	McGill Facilities Management Limited (in Administration)
4106568/2022	Mr andrew searles	McGill Facilities Management Limited (in Administration)
4106569/2022	Mr gurmukh singh	McGill Facilities Management Limited (in Administration)

4106570/2022	Mr brian skinner	McGill Facilities Management Limited (in Administration)
4106571/2022	Mr piotr slonina	McGill Facilities Management Limited (in Administration)
4106572/2022	Mrs kirsty smith	McGill Facilities Management Limited (in Administration)
4106573/2022	Mr liam smith	McGill Facilities Management Limited (in Administration)
4106574/2022	Mr russell smith	McGill Facilities Management Limited (in Administration)
4106575/2022	Mr gordon stalker	McGill Facilities Management Limited (in Administration)
4106576/2022	Miss kerri stalker	McGill Facilities Management Limited (in Administration)
4106577/2022	Mr alexander stewart	McGill Facilities Management Limited (in Administration)
4106578/2022	Mr nathan stewart	McGill Facilities Management Limited (in Administration)
4106579/2022	Mr scott sutherland	McGill Facilities Management Limited (in Administration)
4106580/2022	Mrs mandy tait	McGill Facilities Management Limited (in Administration)
4106581/2022	Mr kevin thomson	McGill Facilities Management Limited (in Administration)
4106582/2022	Mr david timmons	McGill Facilities Management Limited (in Administration)
4106583/2022	Mr kenneth traynor	McGill Facilities Management Limited (in Administration)
4106584/2022	Mr rhys vannet	McGill Facilities Management Limited (in Administration)
4106585/2022	Mr james wright	McGill Facilities Management Limited (in Administration)