



EMPLOYMENT TRIBUNALS

Claimants: (1) Community Union
(2) Mr G Hulbert

First Respondent: Pretty Legs Hosiery Ltd (in creditors voluntary liquidation)

Second Respondent: Secretary of State for Business, Energy and Industrial Strategy

On: 30 January 2023

Before: Employment Judge Ahmed

Members: Ms J Barrowclough
Ms L Woodward

At: Leicester

Representation

Claimant: Mr Grant Williams (Trade Union Representative)
First Respondent: No appearance or representation
Second Respondent: No appearance or representation

JUDGMENT

The unanimous decision of the Tribunal is that:

1. Community Union was a union recognised by the First Respondent Pretty Legs Hosiery Ltd (in creditors voluntary liquidation) for manual workers for the purposes of consultation in respect of redundancies and in respect of its obligations for consultation under the Trade Union and Labour Relations (Consolidation) Act 1992 ("TULRCA 1992").
2. Pretty Legs Hosiery Ltd (in creditors voluntary liquidation) failed to comply with the requirements of sections 188 -190 of TULRCA 1992. The complaint for a protective award by Community Union is therefore well-founded and succeeds in

respect of the class of members whom it represents, namely all of the 30 manual workers employed by Pretty Legs Hosiery Ltd (in creditors voluntary liquidation) based at the Crescent Road, Lutterworth site.

3. Pretty Legs Hosiery Ltd (in creditors voluntary liquidation) is ordered to pay remuneration (that is a protective award) to the class of employees identified in paragraph 2 above including, for the avoidance of doubt, Mr Kevin Masters, Mrs Patricia Pope, Mr David Pope and Mr Dean Young. The protective award is for a period of 90 days beginning on 20 April 2022, being the date on which the first of the dismissals to which the complaint relates took effect.

4. Mr Garry Hulbert was not a member of the bargaining unit. There was no election of representatives. Mr Hulbert is entitled to bring a claim in his own name. Pretty Legs Hosiery Ltd (in creditors voluntary liquidation) failed to adequately comply with the requirements of sections 188 -190 of TULRCA 1992 in respect of Mr Hulbert. The complaint for a protective award by Mr Hulbert is therefore well-founded and succeeds. Pretty Legs Hosiery Ltd (in creditors voluntary liquidation) is ordered to pay to Mr Hulbert remuneration (i.e. a protective award) for a period of 90 days beginning on 20 April 2022.

Employment Judge Ahmed

Date: 30 January 2023

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