



# EMPLOYMENT TRIBUNALS

**Claimant:** Ian Thorley

**Respondent:** George Birchall Limited (in administration)

**Heard at:** Birmingham ET by CVP

**On:** 15 March 2023

**Before:** EJ Brady

## Representation

**Claimant:** Mr S Lewis (Counsel)

**Respondent:** Did not attend (no ET3)

# JUDGMENT

## Rule 21 of the Employment Tribunal Rules of Procedure 2013

1. The Respondent has stated that no part of the claim is contested. Employment Judge Brady has decided to issue the following judgment on the available material under rule 21:
2. The Employment Tribunal declares that the respondent has failed to comply with its obligations under section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 and makes a protective award under section 189 of that Act in favour of the claimant for a period of 90 days starting on the 10 September 2018. That is the sum of £7,232.40
3. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the sum of £6288.92
4. The claimant is awarded £500 for the loss of statutory rights.
5. The claimant's claim for Unfair Dismissal is well founded. No claim was made in respect of the Basic Award as the claimant has received payment in respect of that award. The claimant withdrew his claim for loss of Pension Rights.

**The Total Award is therefore: £14021.32**

Employment Judge Brady

Date: 15<sup>th</sup> March 2023