



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4101219/2023 & 22 others

Employment Judge M Whitcombe

Mr A Budge

Claimants

and 22 others (listed on the attached schedule)

DDP Contractors Ltd (In Liquidation)

Respondents

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 claimant was an employee dismissed as redundant.

2. No response to the claims was presented by the respondent within the applicable time limit.
3. The respondent is in compulsory liquidation but the relevant court granted permission for the continuation of these proceedings on 4 July 2023.
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 carry out any consultation at all with the appropriate representatives of affected employees in accordance with s.188.
7. The Tribunal makes a protective award in respect of the claimants who were all employed at the respondent's premises, Units 30 & 31 Logie Way, Logie Business Park, Kirriemuir, Angus, DD8 5PU and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 1 November 2022 and is for 90 days.

Employment Judge: M Whitcombe
Date of Judgment: 05 September 2023
Entered in register: 06 September 2023
and copied to parties