



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4104859/2022 and others (as per attached schedule)**

**Employment Judge Sutherland**

**Mr J Rose and others (as per attached schedule)**

**Claimants**

**Ivanhoe Caledonian Printing Company Ltd (In Liquidation)**

**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.
2. No response was presented to this claim 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 06 July 2023.
4. The complaint that the respondent failed to comply with a requirement of section 188 or section 188A 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 each claimant and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 01 August 2022 and is for 90 days.

**Employment Judge: M Sutherland**  
**Date of Judgment: 09 October 2023**  
**Entered in register: 11 October 2023**  
**and copied to parties**

| <b>4104859/2022 &amp; Others - Judgment Schedule</b> |                          |
|--|--------------------------|
| <b>Case Number</b>                                   | <b>Claimant</b>          |
| 4104861/2022   | Ms Angela McVie          |
| 4104862/2022   | Mr Stuart Dalziel        |
| 4104863/2022   | Mr John Reid             |
| 4104864/2022   | Mr Kevin Douglas         |
| 4104865/2022   | Mr Desmond Nisbet        |
| 4104866/2022   | Mr Keith Marshall        |
| 4104867/2022   | Mr Keith Fraser          |
| 4104868/2022   | Mr Craig Rennie          |
| 4104869/2022   | Mr William David Laidlaw |
| 4104870/2022   | Ms Dawn Dray             |

|              |                     |
|--------------|---------------------|
| 4104871/2022 | Mr Mark Henderson   |
| 4104872/2022 | Mr Kevin McNaughton |
| 4104873/2022 | Ms Deborah Anderson |
| 4104874/2022 | Mr Alan Rennie      |
| 4104937/2022 | Mr Peter Shepherd   |