



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4103279/2023 & 17 others (per attached schedule)**

**Employment Judge S MacLean**

**Miss L Henderson**

**Claimant**

**(and 17 others per attached schedule)**

**Nevis Ensemble**

**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. The respondent has been sequestrated and the trustee was informed of their right to enter the proceedings and defend the claim on 1 November 2023.
3. No response was presented to this claim within the applicable time limit.
4. The complaint that the respondent failed to comply with a requirement of section 188 and 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 the claimants dismissed as redundant and based at the respondent's premises at Platform at the Bridge, 1000 Westerhouse Road, Glasgow, G34 9JW and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 24 January 2023 and is for 90 days.

**Employment Judge: S Maclean**  
**Date of Judgment: 15 December 2023**  
**Entered in register: 19 December 2023**  
**and copied to parties**

	<b>Multiple Schedule</b>	
<b>Multiple:</b>	<b>4100467 - Nevis Ensemble</b>	
<b>Case Number</b>	<b>Claimant</b>	<b>Respondent</b>
4103279/2023	Miss Lynn Henderson	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103280/2023	Miss Brianna Berman	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103281/2023	Ms Sarah Canzonetta	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103282/2023	Miss Emily Crichton	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103283/2023	Mr David Cumming	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103284/2023	Ms Sze Man Lee	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103285/2023	Miss Caroline McCready	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103286/2023	Mrs Jennifer Moss	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103287/2023	Mr Sagnick Mukherjee	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW

4103288/2023	Miss Laetitia Pannetier	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103289/2023	Ms Charlotte Perkins	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103290/2023	Ms Lisa Robertson	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103291/2023	Mr Juan Antonio Rodriguez Diaz	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103292/2023	Mr Evangelos Saklaras	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103293/2023	Mr Roberto Schoham	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103294/2023	Miss Emily Stokes	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW
4103295/2023	Miss Hannah Renton	Nevis Ensemble Platform - The Bridge 1000 Westerhouse Road Glasgow G34 9JW