



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4100201/2023

Employment Judge F Eccles

Mrs PJ Dunn

Claimant

SF Ops Limited

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 claimant is entitled to bring this claim because the complaint concerns a failure relating to the consultation and election of employee representatives, and the claimant was an employee dismissed as redundant.
2. No response was presented to this claim within the applicable time limit.

3. The complaint that the respondent failed to comply with a requirement of sections 188 and 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.
4. The respondent dismissed as redundant more than 20 employees at one establishment within a period of 90 days or less.
5. 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.
6. The Tribunal makes a protective award in respect of employees dismissed as redundant at the respondent's establishment at Snow Factor, Unit 30, XSITE, King's Inch Road, Braehead, Renfrewshire, PA4 8XG and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 15 November 2022 and is for 90 days.

Employment Judge: F Eccles
Date of Judgment: 14 March 2024
Entered in register: 14 May 2024
and copied to parties