



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants

1. Unite the Union
2. Ms L Bradley
3. Mr TS Buckley
4. Mr BJ Groves
5. Ms W Quinton
6. Mrs H Kaur
7. Mr E Nolan

AND

Respondents

1. Basta Parsons Limited
(In Creditors Voluntary Liquidation)
2. Secretary of State for BIS

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Birmingham **ON** 24 April 2017

EMPLOYMENT JUDGE Dimbylow

Upon the first respondent, having given notice that it was not defending the claim and, in the absence of the parties:

JUDGMENT

The judgement of the Employment Judge sitting alone is that:

1. The complaint that the first respondent failed to comply with the requirements of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded.
2. I make a protective award in respect of all shop floor employees of the first respondent at its premises in Alma Street, Heathtown, Wolverhampton, West Midlands, WV10 0EY, who were dismissed as redundant on 23 August 2016 and I order the first respondent to pay to all those employees remuneration for the protected period of 90 days beginning on 23 August 2016.
3. I attach hereto an annex relating to the recoupment of state benefits.

4. The primary claim of the claimants has succeeded in relation to the recognised trade union, therefore the claims pleaded in the alternative in respect of the named individual claimants numbered: 2, 3, 4, 5, 6 and 7 are dismissed.

5. The claimants paid a fee of £500.00 on the presentation of their claims and a further fee of £1,900.00 for the hearing. The claim has been decided in favour of them. In the exercise of my powers under Employment Tribunal Rules 75 (1) (b) and 76 (4) I make a costs order that the first respondent pay to the first claimant the sum of £2,400.00.

6. I make no judgement against the second respondent who was joined in the proceedings as a statutory guarantor pursuant to Part XII of the Employment Rights Act 1996.

Signed by D Dimbylow on 24 April 2017

Employment Judge Dimbylow

Judgment sent to parties on

26 April 2017

Mr I MacDonald