



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Booth

**Respondent:** GB Buildings Solutions Limited (In Administration)

**HELD AT:** Manchester

**ON:** 6 December 2018

**BEFORE:** Employment Judge Ross

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Not in attendance

## JUDGMENT

1. Leave is granted to amend the name of the Respondent to GB Buildings Solutions Limited.
2. The claimant's claim for a protective award to this Tribunal was presented out of time but the Tribunal finds it was not reasonably practicable to present the claim within time and the claimant was presented within such further time as is reasonable. Therefore the Tribunal has jurisdiction to hear the claim.
3. The judgment of the Tribunal is that the claimant's complaint under section 189 of the Trade Union and Labour Relations(Consolidation) Act 1992 of a failure by the respondent to comply with the requirements of s188 of the 1992 Act is well founded. The Tribunal orders the Respondent to pay the claimant, who was dismissed for redundancy on or around 9 March 2015 remuneration for the period of 90 days beginning on 9 March 2015. The Recoupment Regulations apply.

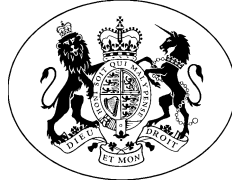
Employment Judge Ross

Date 6 December 2018

JUDGMENT SENT TO THE PARTIES ON

6 December 2018

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FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2423541/2017**

Name of **Mr M Booth** v **GB Buiding Solutions (in administration)**  
case(s):

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **6 December 2018**

"the calculation day" is: **7 December 2018**

"the stipulated rate of interest" is: **8%**

MR J PRICE  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/collections/employment-tribunal-forms](http://www.gov.uk/government/collections/employment-tribunal-forms)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.