



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4117197/2018

Mr C Simpson

**Claimant
Represented by:
Mr D Hutchison
Solicitor**

Lambert Contracts Limited (In Administration)

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to this claim. Derek Forsyth was appointed joint administrator of the respondent on or around 1 June 2018. Mr Forsyth has confirmed to the Tribunal by letter dated 9 October 2018 that he does not object to the claim continuing and does not intend to defend it.

The Employment Judge has decided to issue the following judgment on the available material under Rule 21.

1. The complaint that the respondent failed to comply with the requirement under Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 was well founded.
2. On or around 1 June 2018 the claimant and his colleagues were notified that their employment was coming to an end by reason of redundancy. No consultation or notice was given to the employees before their employment was terminated. More than 20

employees were dismissed on 1 June 2018. The claimant was asked to remain with the respondent until 15 June 2018 to assist the administrators.

3. The respondent dismissed more than 20 employees by reason of redundancy within a 30-day period. All the employees were based at the same establishment.
4. There should be a protective award made in respect of such of the former employees of the respondent working at the respondent's establishment at 108-110 Hawkhead Road, Paisley, PA2 7BA dismissed as redundant in June 2018.
5. The protected period should be 90 days beginning on 15 June 2018.

Employment Judge: Shona MacLean

Date of Judgment: 31 October 2018

Entered in Register and Copied to Parties: 05 November 2018