



EMPLOYMENT TRIBUNALS

Claimant: Mr D Leach

Respondent: John Anthony Signs Limited (in creditors voluntary liquidation)

Heard at: East London Hearing Centre

On: 17 February 2022

Before: Employment Judge Russell

Representation

Claimant: No attendance

Respondent: No attendance

JUDGMENT

1. The effective date of termination was 14 May 2021.
2. The Respondent failed to comply with its obligations under ss.188 & 188a Trade Union and Labour Relations (Consolidation) Act 1992 in relation to the duty to consult employee representatives.
3. It is just and equitable that the Respondent pay the Claimant remuneration for the protected period of 90 days, namely from 14 May 2021 to 12 August 2021.
4. The Respondent is ordered to pay the Claimant the sum of £6975.00 (90 X daily rate of £77.50).

REASONS

1. By a claim form presented on 21 August 2021, the Claimant brought a claim for a protective award following his dismissal on 14 May 2021 when the Respondent went into liquidation. Over 20 employees were made redundant and there was no collective consultation undertaken. There has been no Response filed but a letter from the liquidator confirms that the Respondent was advised to cease trading with immediate effect on 14 May 2021 as it was insolvent.

2. In other claims, 3204717/2021, 3204719/2021, 3204775/2021, 324486/2021 and 3204692/2021 which arose out of exactly the same facts, Employment Judge Barrowclough ordered that there be a 90 day protected period from 14 May 2021 to 12 August 2021.

3. Having regard to the contents of the file, I am satisfied that the Claimant is also entitled to a protective award, for the same period. He was also paid £77.50 per day, giving the same award of £6,975.00

Employment Judge Russell
Date: 17 February 2022