



EMPLOYMENT TRIBUNALS

Claimant: Prospect Trade Union

Respondents: 1) NEOS Nuclear Limited (in Administration)
2) New Engineering Limited (in Administration)

HELD AT: Manchester

ON: 16 September 2024

BEFORE: Employment Judge Batten (sitting alone)

REPRESENTATION:

For the Claimant: T Langley, pupil barrister

For the Respondents: no attendance

JUDGMENT

1. The first and second respondents failed to inform or consult the claimant as the recognised trade union about the transfer of employees' employment from the first respondent to the second respondent on or about 21 March 2023, pursuant to Regulation 13 and/or 13A of the Transfer of Undertakings (Protection of Employment) Regulations 2006.
2. The respondents are ordered to pay to each of the claimant's affected members 13 weeks' gross pay for such default.
3. The claimant shall, by 4.00pm on Monday 14 October 2024, file with the Tribunal and send a copy to each of the Administrators, a list of the affected employees who are members of the claimant trade union. For each of those listed, the claimant must state the average gross weekly pay and the amount of 13 weeks' gross pay to be awarded so that a further judgment

can be issued in respect of the sums to be paid to each affected employee on the list, for the respondents' default.

Employment Judge Batten
Date: 16 September 2024

JUDGMENT SENT TO THE PARTIES ON:

Date: 19 September

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FOR THE TRIBUNAL OFFICE

Note:

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>