



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4105089/2024 and others (per attached schedule)**

**Employment Judge P O'Donnell**

**Ms A Beattie and others (per attached schedule)**

**Claimants**

**D M Design Bedrooms Limited (In Liquidation)**

**Respondent**

## **JUDGMENT**

### **Rule 21 of the Employment Tribunal Rules of Procedure 2013**

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

1. The claimants are entitled to bring this claim because the complaint concerns a failure relating to the election of employee representatives, and the claimants were employees dismissed as redundant.
2. No response was presented to this claim within the applicable time limit.

3. The respondent is in compulsory liquidation, but the relevant court granted permission for the continuation of these proceedings on 04 October 2024.
4. The complaint that the respondent failed to comply with a requirement of section 188 or section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.
5. The respondent dismissed as redundant more than 20 employees at one establishment within a period of 90 days or less.
6. The respondent failed to ensure that employee representatives were elected in accordance with s.188A, and then to consult with them in accordance with s.188.
7. The Tribunal makes a protective award in respect of employees dismissed as redundant at the respondent's establishment at 1 Deerdykes Place, Westfield Industrial Area, Cumbernauld, Glasgow, G68 9HE and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 08 March 2024 and is for 90 days.

**Peter O'Donnell**  
**Employment Judge**

17 October 2024

**Date of Judgment**

18 October 2024

**Entered in register  
and copied to parties**

<b>Multiple Schedule</b>	
<b>Multiple:</b>	<b>4100724 - D M Design Bedrooms Limited</b>
<b>Case Number</b>	<b>Case Name</b>
4105089/2024	Ms A Beattie -v- D M Design Bedrooms Limited (In Liquidation)
4105090/2024	Mr C Brodie -v- D M Design Bedrooms Limited (In Liquidation)
4105091/2024	Mr G MacBroom -v- D M Design Bedrooms Limited (In Liquidation)
4105092/2024	Mr H McDonald -v- D M Design Bedrooms Limited (In Liquidation)
4105093/2024	Mr J Stewart MacBroom -v- D M Design Bedrooms Limited (In Liquidation)
4105094/2024	Mr J McBride -v- D M Design Bedrooms Limited (In Liquidation)
4105095/2024	Mr J Black -v- D M Design Bedrooms Limited (In Liquidation)
4105096/2024	Mr J Brady -v- D M Design Bedrooms Limited (In Liquidation)
4105097/2024	Mr J Murphy -v- D M Design Bedrooms Limited (In Liquidation)
4105098/2024	Mr L Hodgson -v- D M Design Bedrooms Limited (In Liquidation)
4105099/2024	Mr M Tracey -v- D M Design Bedrooms Limited (In Liquidation)
4105100/2024	Ms N Kyprianou -v- D M Design Bedrooms Limited (In Liquidation)
4105101/2024	Mr J N Andrews -v- D M Design Bedrooms Limited (In Liquidation)
4105102/2024	Mr D Hanratty -v- D M Design Bedrooms Limited (In Liquidation)
4105103/2024	Mr D A'Hara -v- D M Design Bedrooms Limited (In Liquidation)
4106250/2024	P Brannen -v- D M Design Bedrooms Limited (In Liquidation)
4106251/2024	T McGarahan -v- D M Design Bedrooms Limited (In Liquidation)