



EMPLOYMENT TRIBUNALS

Claimant: Community Union
Respondent: Courtaulds Brands Ltd (in administration)

Party joined under Rule 96 The Secretary of State for Business, Energy and Industrial Strategy

Heard at: Nottingham
On: Wednesday 22 February 2017
Before: Employment Judge Milgate (Sitting Alone)

Representation:-
Claimant: Mr G Williams (Trade Union official)
Respondent: Did not attend
Secretary of State: Did not attend

JUDGMENT

Employment Tribunal will Rules of Procedure 2013.

The claimant having obtained the consent of the High Court for these claims to proceed, and the Tribunal having heard sworn witness evidence from former members of the Respondent's workforce to the following effect:-

- (i) that the Tribunal has jurisdiction to consider the claimant's claims for a protective award under section 189(1) (c) of the Trade Union and Labour Relations (Consolidation) Act 1992 ('TULRCA 1992');
- (ii) that on 25 May 2016, the Respondent Company informed the workforce it was proposing to dismiss as redundant with immediate effect over 300 employees at its West Mill establishment;
- (iii) that there was a wholesale failure to consult in accordance with section 188 TULRCA 1992

JUDGMENT IS HEREBY GIVEN AS FOLLOWS:-

1. The Respondent has failed to comply with requirements of section 188 of TULRCA 1992.
2. The Respondent is ordered to pay a protective award to those employees

who were dismissed as redundant and who are described in the schedule hereto with effect from 25 May 2016 for a period of 90 days.

Employment Judge Milgate

Date 6 April 2017

JUDGMENT & REASONS SENT TO THE PARTIES ON

14 April 2017

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FOR EMPLOYMENT TRIBUNALS

SCHEDULE

Description of employees for the purposes of section 189(3) Trade Union and
Labour Relations (Consolidation) Act 1992

All those employees of the Respondent company who were employed at its West Mill site, Bridgefoot, Belper, Derbyshire, DE56 1BH, and who were dismissed as redundant on 25 May 2016, OTHER THAN any directors of the Respondent. In this schedule the term 'directors' is limited to those directors who were appointed to the Board of the respondent Company in accordance with the Companies Acts and registered as such at Companies House.