



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4105296/2016 & Others

Employment Judge: Lucy Wiseman

**Mr T Sommerville & Others
(see attached list)**

Claimant

**Bathgate Realisations Plant Ltd
(In Administration)**

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The Joint Administrator confirmed, by letter of 16 February 2017, that he did not intend defending the claim.

An Employment Judge decided to issue this Judgment on the available material under Rule 21:-

1. The claim is well founded and a protective award is made.
2. The respondent shall pay to all employees made redundant on 19 July 2016, remuneration for the protected period which began on 19 July 2016 for a period of 90 days.

REASONS

1. The claimants were employed by the respondent.
2. The respondent was placed into administration. The claimants were notified of the administration on the day it occurred and were made redundant on that day, being 19 July 2016.

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3. The respondent had a duty to consult with the claimants or their elected representatives under Section 188 – 188A of the Trade Union & Labour Relations (Consolidation) Act 1992. The respondent failed to do so.

Employment Judge: Lucy Wiseman

Date of Judgment: 10 May 2017

Entered in register and copied to parties: 10 May 2017

Multiple Schedule

Multiple: 7967 - Dunne Building & Civil Engineering Ltd

<i>Case Number</i>	<i>Case Name</i>
4105296/2016	Mr Tony Sommerville -v- Bathgate Realisations Plant Ltd (In Administration) & Others
4105297/2016	Mr Stuart Callander -v- Bathgate Realisations Plant Ltd (In Administration)
4105298/2016	Mr John Gallagher -v- Bathgate Realisations Plant Ltd (In Administration)
4105299/2016	Mr Gary Hutchison -v- Bathgate Realisations Plant Ltd (In Administration)
4105300/2016	Mr Mark Russell -v- Bathgate Realisations Plant Ltd (In Administration)
4105301/2016	Mr Peter Crosbie -v- Bathgate Realisations Plant Ltd (In Administration)