



# EMPLOYMENT TRIBUNALS

**Claimant:** Unite the Union & Others

**Respondent:** Pulse Flexible Packaging Limited – In Administration

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The Tribunal grants a declaration that Claimants' complaint that the Respondent failed to comply with the provisions of Sections 188 and 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 in the following respects;
  - a. The Respondent failed to consult in good time or at all with the appropriate representatives. Unite the Union's (the "Claimant Union") was the appropriate representative and the Respondent failed to consult with them as the recognised trade union;
  - b. The Respondent failed to consult about ways of avoiding the dismissals, reducing the number of employees to be dismissed and mitigating the consequences of the dismissal.
  - c. The Respondent failed to consult on the proposed method of selecting the employees who may be dismissed, the proposed method of carrying out the dismissals and the proposed method of calculating any redundancy payments.
2. The Tribunal finds that there should be a protective award paid to the affected employees at the Respondent's site at Radwinter Road, Saffron Waldon, Essex CB11 3HY and who were dismissed as redundant on dates between 12 April 2017 and 11 August 2017. The affected employees include the 52 Employee Claimants.
3. The award shall be in respect of the protected period which begins with the date of affected employees' dismissals, for a period of 90 days.

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Employment Judge Sigsworth

21 August 2018

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JUDGMENT SENT TO THE PARTIES

.....28 August 2018.....  
AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE