



EMPLOYMENT TRIBUNALS

Claimant

C1. Mr A Brewer
C2. Mr A Fielding

v

Respondent

Mak Services (2007) Limited
(In Administration)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Heard at: Birmingham

On: 2 January 2019

Before: Employment Judge Lloyd

Appearances:

For the 1st Claimant : Mr M Parker, Solicitor (by email)

For the 2nd Claimant: Mrs M Batten, Solicitor

For the Respondent: No attendance

JUDGMENT

The judgment of the tribunal is: -

- 1) The claimants have each proven that the respondent is in breach of its obligation to consult under s.188 TULRCA 1992. The claimants comprise a class of employees affected by the respondent's dismissal proposals; namely mobile refrigeration engineers.
- 2) The claimants are entitled to receive from the respondent a protective award pursuant to s.189 TULRCA 1992, calculated as 90 days gross pay commencing 14 December 2017, the date of dismissal in each case. I so order.
- 3) The 2nd claimant withdraws his claims of unfair dismissal and unauthorised deduction of wages.

Employment Judge Lloyd

2 January 2019