

# LexisNexis Practical Research - Employment

ABC Fashion Retailers Ltd is a national high street retailer. Significant changes in the business over the last few years have led the company to re-think its business model and employ the expertise of a team of management consultants to advise them on how to consolidate their business and plan for the next five years.

**Memo**

To: New Employment Trainee

From: Supervising Associate

Client: ABC Fashion Retailers Ltd

Status: URGENT

This may involve closing shops and staff redundancies. ABC wants to minimize as far as possible its legal risk while at the same time finding a commercial solution that will allow them to proceed without delay and have a meeting scheduled tomorrow to discuss this matter. To prepare for the meeting please prepare the answers to the following questions:

- 1.) What is the statutory definition of redundancy and does closing a shop fall under this definition?
- 2.) Your supervisor knows that there will be procedural requirements involving individual consultation, but would like you to confirm the exact process. Please describe the individual consultation procedure and what a consultation should involve? Why is the procedure important?
- 3.) ABC have confirmed that approximately 21 staff may be affected by the store closures. Does this incur any additional consultation requirements?
- 4.) Your supervisor now understands that the 21 staff work across 4 different shops in the Blue Lagoon Shopping Centre. Does each separate shop constitutes "one establishment" for the purposes of s188 of TULR(C)A 1992 and are there any relevant cases interpreting this statutory provision?
- 5.) Your supervisor would like you to read about redundancy in more depth. Name 3 resources/ books online which cover the topic of redundancy.

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