



# EMPLOYMENT TRIBUNALS

**Claimant:** Unite the Union

**Respondents:** (1) Norwegian Air Resources UK Ltd  
(2) The Secretary of State for Business, Energy and Industrial Strategy

**Heard at:** East London Hearing Centre (by video)

**On:** 16 December 2022

**Before:** Tribunal Judge Overton, acting as an Employment Judge

**Members:** Ms P Alford  
Ms T A Jansen

## Representation

Claimant: Ms Urquhart (Counsel)  
1st Respondent: No appearance  
2nd Respondent: No appearance

# JUDGMENT

1. The claim against AAP Aviation UK Limited formerly known as OSM Aviation UK Limited is dismissed upon withdrawal.
2. The First Respondent failed to comply with section 188 of Trade Union & Labour Relations (Consolidation) Act 1992.
3. The Claimant's claim for a protective award under section 189 of Trade Union & Labour Relations (Consolidation) Act 1992 is well-founded and succeeds.
4. The 1st Respondent is ordered to pay a protective award in respect of the **short-haul** cabin crew based at London Gatwick Airport and who were dismissed as redundant by the 1st Respondent and who fell within the bargaining unit as defined in the relevant Recognition Agreement.
5. The 1st Respondent is ordered to pay remuneration to those **short-haul** employees for the protected period of 63 days beginning with the 29th January 2021.
6. The 1st Respondent is ordered to pay a protective award in respect of the **long-haul** cabin crew based at London Gatwick Airport and who were dismissed as redundant by the 1st Respondent and who fell within the bargaining unit as defined in the relevant Recognition Agreement.

7. The 1st Respondent is ordered to pay remuneration to those **long-haul** employees for the protected period of 90 days beginning with the 29th January 2021.

**Tribunal Judge Overton, acting as  
an Employment Judge  
Dated: 19 December 2022**