



EMPLOYMENT TRIBUNALS

Claimant: Mr M Nash

Respondent: (1) Lagan Construction Group Limited (in Administration)
(2) Secretary of State for Business, Energy and Industrial Strategy

Heard at: North Shields

On: 25 March 2019

Before: Employment Judge A.M.S.Green

Representation

Claimant: in person

Respondents: not present or represented

JUDGMENT

1. The Tribunal has jurisdiction to hear the claimant's claim under Trade Union and Labour Relations (Consolidation) Act 1992, section 189(5)(c).
2. The complaint that the first respondent failed to comply with the requirements of Trade Union and Labour Relations (Consolidation) Act 1992, sections 188 and/or 188A is well founded.
3. I make a protective award in respect of the claimant who was dismissed by the first respondent on 8 March 2018 from the first respondent's A19 site.
4. The first respondent is ordered to pay remuneration calculated in accordance with Trade Union and Labour Relations (Consolidation) Act 1992, section 190 for the protected period.
5. The protected period is from 8 March 2018 to 6 June 2018 (i.e. 90 days).
6. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 apply. Regulation 6 imposes on the first respondent a duty to provide information to the second respondent. Regulation 7 postpones this award in order to enable the second respondent to serve a recoupment notice under regulation 8.
7. Pursuant to Employment Rights Act 1996, section 182 the second respondent ought to, subject to section 186 of said Act, pay the claimant out

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of the National Insurance Fund the amount to which, in the opinion of the second respondent, the claimant is entitled to receive in respect of the debt.

Employment Judge A.M.S. Green

Date 25 March 2019