



EMPLOYMENT TRIBUNALS

Claimants: Mr D Cook and others (see Schedule)
Respondent: (1) YTM Group Limited (in administration)
(2) The Secretary of State for Business, Energy and Industrial Strategy

AT A HEARING

Heard at: Leeds **On:** 2nd December 2019
Before: Employment Judge Lancaster
Members: Mr Taj
Mr Downs

Representation

Claimants: Mr D Flood, counsel
Respondents: (1) No appearance entered and did not attend
(2) Did not attend but made written representations

JUDGMENT

1. The First Respondent failed to elect or consult with appropriate employee representatives, in breach of its duty under section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992.
2. The claims for a protective award succeed in respect of each named Claimant.
3. The First Respondent is ordered to pay to the following Claimants, employed at the Castleford establishment, remuneration for a protected period of 90 days beginning on 11th January 2019:

J. Penny; T. Johnson; J. Smith; N. Rutter; D. Pawson; V. Croft; P. McLean; D. Clayton; J Miles; A. Carroll; D. Henry; R. Fleming; R. Game; E. Esteva; A. Thornhill;
W. Beasley
4. The First Respondent is ordered to pay to the following Claimants, employed at the Pontefract establishment, remuneration for a protected period of 90 days beginning on 14th February 2019:

D. Cook; P. Jones; G. Jones; C. Smith; M. Clarkson; I. Westwood

Case: 1802175/2019 and others
(see Schedule)

5. The Employment Protection (Recoupment of Benefit) Regulations 1996 regulations 6, 7 and 8 apply to this award.

6. The First Respondent is accordingly advised of its duties under the Regulations and any award made will be postponed pending any service of a recoupment notice by the Secretary of State in respect of relevant benefits received by the Claimant in the prescribed period and only the balance of any remuneration due will then be payable directly to the Claimant.

EMPLOYMENT JUDGE LANCASTER

DATE 2nd December 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Case: 1802175/2019 and others
(see Schedule)

Case Number	Claimant Name
1802175/2019	Mr D Cook
1802176/2019	Mr D Cook
1802177/2019	Mr P Jones
1802178/2019	Mr J Penny
1802179/2019	Mr G Jones
1802180/2019	Mr T Johnson
1802181/2019	Mr C Smith
1802182/2019	Mr J Smith
1802183/2019	Ms N Rutter
1802184/2019	Mr M Clarkson
1802185/2019	Ms D Pawson
1802186/2019	Ms V Croft
1802187/2019	Mr P McLean
1802194/2019	Mr R Game
1802195/2019	Ms E Esteva
1802196/2019	Mr A Thornhill
1802197/2019	Mr W Beasley
Number of Cases	18