

Case Numbers: 3320876/2019-3321015/2019; 3322059/2019;
3322295/2019; 3324013/2019-3324014/2019



EMPLOYMENT TRIBUNALS

Claimants

Respondent

Ms C Holuta & Others

v

Nigel Fredericks Trading Ltd
C/o Dow Schofield Watts Business
Recovery LLP

CONSENT JUDGMENT

- 1 Claim number 3322295/2019 is a duplicate claim and is dismissed on its withdrawal by the claimant.
- 2 The claims numbered 3320876/2019 to 3321015/2019 and 3324013/2019 to 3324014/2019 are consolidated.
- 3 The claimants in those cases, namely as set out in the schedule attached to this judgment (“the claimants”), were employed by the respondent.
- 4 On 13 June 2019, Christopher Benjamin Barrett and Lisa Marie Moxon of Dow Schofield Watts Business Recovery LLP, 7400 Daresbury Park, Daresbury, Warrington, WA4 4BS were appointed Joint Administrators of the respondent (“the Joint Administrators”).
- 5 On 13 June 2019, the claimants were dismissed by the respondent by reason of redundancy.
- 6 The respondent did not inform and consult with the claimants in accordance with the provisions of sections 188 and 188A of The Trade Union and Labour Relations (Consolidation) Act 1992 (“the Act”).

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- 7 The claimants have made claims under section 189 of the Act for a protective award in respect of that failure and the respondent accepts that those claims are well-founded.
- 8 The respondent must make to each of the claimants a protective award in the amount of 8 weeks' pay calculated by reference to that claimant's salary as it stood on 13 June 2019.
- 9 Those protective award payments (i.e. as ordered in paragraph 8 above) will be unsecured claims in the insolvency of the respondent and shall not for the avoidance of doubt be an expense of the administration or payable by the Joint Administrators personally.
- 10 There is and shall be no order as to costs.

Employment Judge Hyams

Date: 19 February 2020

JUDGMENT SENT TO THE PARTIES ON

.....25 January 2020.....

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FOR THE TRIBUNAL OFFICE