

Case Nos: 2303481/2018  
2303482/2018  
2303483/2018  
2303484/2018  
2303485/2018  
2303486/2018  
2303487/2018



# EMPLOYMENT TRIBUNALS

**Claimant:** (1) Mr Michael Hill  
(2) Mr John Rogers  
(3) Mr Lawrence White  
(4) Mr Gregory Howard  
(5) Mr Martin Denney  
(6) Mr Terence Smith  
(7) Mr C Goreham

**Respondent:** Stewart Fraser Limited (in liquidation)

**Heard at:** Croydon **On:** 3 February 2020

**Before:** Employment Judge Cheetham QC

## Representation

1<sup>st</sup> – 6<sup>th</sup> Claimants: Mr N Shah (solicitor)

7<sup>th</sup> Claimant – no attendance

Respondent: no attendance

## JUDGMENT

1. A protective award, pursuant to the Trade Union and Labour Relations (Consolidation) Act 1992 s.189, is payable in respect of each of the Claimants for the period of 90 days.
2. The claims by Mr Goreham, other than the claim for a protective award, are dismissed.

## REASONS

1. This was a claim for determination of the protective award in these claims, all other claims having been withdrawn in respect of the first 6 Claimants on 20

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January 2020. Mr Shah represented the first 6 Claimants, but no longer represented Mr Goreham. I was told that Mr Goreham's circumstances were the same as those of the other Claimants, but in his absence was not able to make any findings in his favour in respect of any other claims he might still be pursuing and these are dismissed.

2. I read the witness statements for each of the first 6 Claimants and accept their unchallenged evidence that there was a complete lack of consultation. In those circumstances, there is no reason why those Claimants should not receive the maximum protective award, namely for a period of 90 days. Mr Goreham's circumstances being the same as those Claimants in respect of the lack of consultation, I also make a protective award in his favour.
3. It may assist subsequent calculations if I set out the agreed weekly pay for each of the first 6 Claimants; I do not have that information for Mr Goreham:

- (1) Mr Michael Hill - £369.69
- (2) Mr John Rogers - £482.66
- (3) Mr Lawrence White - £409.70
- (4) Mr Gregory Howard - £468.66
- (5) Mr Martin Denney - £518.95
- (6) Mr Terence Smith - £493.74

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Employment Judge Cheetham QC

Date: 6 February 2020