



# EMPLOYMENT TRIBUNALS

Claimant: Mr LE Parkinson and others

Respondent: Jamie's Italian Limited (In Administration)

## JUDGMENT

UPON reading the joint application submitted by the parties;

AND UPON the parties having agreed to the terms of the Judgment set out below by consent;

AND UPON permission for the claims presented by the Claimants named in the attached Schedule to this Judgment to proceed against the Respondent, and lifting of the moratorium in relation to those claims being granted by the administrators of the Respondent:

The Judgment of the Employment Tribunal made under Rule 64 of Schedule 1 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 is that:

### 1. Protective Award

- 1.1 In relation to the Claimants named in the attached Schedule to this Judgment the Respondent failed to adequately comply with the requirements of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 and the claim for a protective award brought under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 succeeds.
- 1.2 The Respondent is ordered to pay remuneration to the Claimants named in the attached schedule for a protected period of 90 days beginning on 21 May 2019 (being the date on which the first of the dismissals to which the complaint relates took effect). The Recoupment Regulations apply.

### 2. Preferential debts

Subject to the normal categories of preferential debts set out in Schedule 6 of the Insolvency Act 1986, any payments made by the Respondent (rather than the Secretary of State) pursuant to this Judgment will be paid as an unsecured dividend.

**3. Costs**

There shall be no order as to costs and each party shall bear their own costs in these proceedings.

Employment Judge Brain

Date 19<sup>th</sup> June 2020

JUDGMENT SENT TO THE PARTIES ON  
22<sup>nd</sup> June 2020

FOR THE TRIBUNAL OFFICE

Note

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/employmenttribunal-decisions](http://www.gov.uk/employmenttribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Mr LE Parkinson & Others v Jamie's Italian Limited (In Administration)

1805151 2019 Mr LE Parkinson  
1805155 2019 Mr G Smith  
1805156 2019 Miss L Campey  
1805157 2019 Miss L Dey  
1805158 2019 Miss N Hanson  
1805159 2019 Mr E Ismailov  
1805160 2019 Miss H Jackson  
1805161 2019 Mr B Mair  
1805162 2019 Miss E Rugyte  
1805163 2019 Mr E Sanots  
1805164 2019 Mr J Tamai  
1805165 2019 Mr A Thornton  
1805166 2019 Mr M Tomczak  
1805167 2019 Mr V Vasilev