



# THE EMPLOYMENT TRIBUNAL

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**Mr R Edwards & others (see attached schedule)**

**Claimants**

and

- 1) FLYBE Ltd (In Administration)**
- 2) The Secretary of State for Business, Energy and Industrial Strategy**

**Respondents**

## **JUDGMENT**

The parties have reached agreement on the terms of Judgment as follows:

1. Permission for the claims presented by the Claimants named in the attached Schedule to this Judgment to proceed against the Respondent, and the lifting of the moratorium in relation to those claims, is granted by the administrators of the Respondent Company.
2. **Protective Award**
  - 2.1 In relation to the Claimants named in the attached Schedule to this Judgment the Respondent Company failed to adequately comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992 and the claim for a protective award brought under section 189 of the Trade Union & Labour Relations (Consolidation) Act 1992 succeeds.
  - 2.2 The Respondent Company is ordered to pay remuneration to the Claimants named in the attached schedule for a protected period of 56 days beginning on 05/03/2020 (being the date on which the first of the dismissals to which the complaint relates took effect).

**3. Preferential debts**

- 3.1 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.

**4. Costs**

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

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Employment Judge K Andrews  
Date: 22 September 2020

**SCHEDULE**

1.	Mr	Russell	Edwards
2.	Mr	Darren	Walker
3.	Mr	Antonio	Cruz
4.	Mr	David	Schofield
5.	Mr	Joseph	Kemp
6.	Mr	Mohamed	Ali
7.	Mr	Daniel	Richardson
8.	Mr	William	Dawson
9.	Mr	Mark	Urwin-Mann
10.	Mr	Christopher	Thomas
11.	Mr	Joseph	Fokes
12.	Mr	Elias	Sonameah
13.	Mr	Alan	Jones
14.	Mr	Scott	Mcllwaine
15.	Mr	Carl	Whitton
16.	Mr	Anthony	Johnson
17.	Mr	Philip	Wilson
18.	Mr	Morgan	El Dani
19.	Mr	Dimitris	Melissaris
20.	Mr	David	Hartshorne
21.	Mr	John	Horner