



EMPLOYMENT TRIBUNALS

Claimants: Mr W Atkinson
Miss K McDermott
Mr M Guy
Mr D Herbert

Respondent: Shearings Limited (in administration)

AT A HEARING

Heard at: Leeds **On:** 17th February 2021
Before: Employment Judge Lancaster

Representation

Claimants: In person
Respondent: No appearance entered and did not attend, the administrators having given permission for these claims to continue

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was CVP video link. A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing

JUDGMENT

Upon hearing oral representations from the Claimants and evidence on oath from Mr Guy:

1. The correct title of the Respondent employer in each case is Shearings Limited (in administration), and where necessary this is amended from Specialist Leisure Group (in administration).
2. Each Claimant was assigned to a single establishment, at Mill Lane Normanton, where more than 20 people were made redundant within a period of 90 days or less.
3. The Respondent failed to appoint or to consult with any appropriate representatives.
4. Each Claimant was dismissed as redundant.

Cases: 1802964/2020,
1802971/2020, 1803799/2020 &
1803844/2020 (V)

5. The complaints that the Respondent has failed to comply with the requirements of sections 188 and/or 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 are well founded.
6. The Claimants are therefore entitled to a protective award and the Respondent is ordered to pay to each of them remuneration for a period of 90 days beginning on 2nd May 2020.
7. The Employment Protection (Recoupment of Benefit) Regulations 1996 regulations 6 7 and 8 apply to this award.
8. The 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 17th February 2021