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EMPLOYMENT TRIBUNALS (SCOTLAND)

**Case No: 4110301/2019 and Others and 4110263/2019 and Others
(as per Schedule)**

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Employment Judge: S Walker

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**Mr C Angiulli & Others and
Mr E Archibald & Others
(All as per attached Schedule)**

Claimants

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Jamie's Italian Limited (In administration)

Respondent

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JUDGMENT BY CONSENT

The judgment of the Employment Tribunal under rule 64 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 is that:

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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.

2. **Protective Award**

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2.1 In relation to the Claimants named in the attached Schedule to this Judgment the Respondent 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 is ordered to pay remuneration to the Claimants named in the attached schedule for a protected period of 56 days beginning on 21 May 2019 (being the date on which the first of the dismissals to which the complaint relates took effect).

5 3. **Other Claims**

The parties agree that the claims advanced for unlawful deduction of wages, breach of contract, holiday pay, notice pay, redundancy pay and unfair dismissal all as set out in paragraphs 5 and 6 of the Statement of Claim can be dismissed on withdrawal.

10 4. **Preferential debts**

4.1 Subject to the normal categories of preferential debts set out in Schedule 6 of the Insolvency Act 1988, any payments made by the Respondent (rather than the Secretary of State) pursuant to this Judgment will be paid as an unsecured dividend.

15 5. **Costs**

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

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25 **Employment Judge: S Walker**
Date of Judgment: 07 July 2020
Entered in register: 09 July 2020
and copied to parties

Multiple Schedule

Multiple: 9163 - Jamie's Italian Limited (in Administration)

Case Number	Case Name
4110301/2019	Mr Cosimo Angiulli -v- Jamie's Italian Limited (in Administration)
4110302/2019	Mr Karolis Arminas -v- Jamie's Italian Limited (in Administration)
4110303/2019	Mrs Sonja Katherine Austin-Irvine -v- Jamie's Italian Limited (in Administration)
4110304/2019	Mr Jefferson Baliazar -v- Jamie's Italian Limited (in Administration)
4110305/2019	Mr Raphael Barros Soares -v- Jamie's Italian Limited (in Administration)
4110306/2019	Miss Joanna Wanda Bastrzyk -v- Jamie's Italian Limited (in Administration)
4110307/2019	Mr Damian Stanislaw Berek -v- Jamie's Italian Limited (in Administration)
4110308/2019	Miss Laura Burns -v- Jamie's Italian Limited (in Administration)
4110309/2019	Mr Stoica Constantin -v- Jamie's Italian Limited (in Administration)
4110310/2019	Mr Neil Cosnette -v- Jamie's Italian Limited (in Administration)
4110311/2019	Miss Sarah Cowan -v- Jamie's Italian Limited (in Administration)
4110312/2019	Miss Kristyna Cundriova -v- Jamie's Italian Limited (in Administration)
4110313/2019	Miss Luisa Dore -v- Jamie's Italian Limited (in Administration)
4110314/2019	Mr Ryan John Edwards -v- Jamie's Italian Limited (in Administration)
4110315/2019	Mr Blair Flucker -v- Jamie's Italian Limited (in Administration)
4110316/2019	Miss Iona Flucker -v- Jamie's Italian Limited (in Administration)
4110317/2019	Mr Alejandro Galan Moreno -v- Jamie's Italian Limited (in Administration)
4110318/2019	Miss Maria Eugenia Gonzalez Herruzo -v- Jamie's Italian Limited (in Administration)
4110319/2019	Miss Jana Jakubekova -v- Jamie's Italian Limited (in Administration)
4110320/2019	Miss Kornelia Kerekes -v- Jamie's Italian Limited (in Administration)
4110321/2019	Mr Patryk Lopucki -v- Jamie's Italian Limited (in Administration)
4110322/2019	Mr Jeff MacDonald -v- Jamie's Italian Limited (in Administration)
4110323/2019	Miss Greta Marzetti -v- Jamie's Italian Limited (in Administration)
4110324/2019	Miss Goda Matuzaitė -v- Jamie's Italian Limited (in Administration)
4110325/2019	Mr Joseph Mayers -v- Jamie's Italian Limited (in Administration)
4110326/2019	Mr Dean McCole -v- Jamie's Italian Limited (in Administration)
4110327/2019	Mr David Waldemar Orlicki -v- Jamie's Italian Limited (in Administration)
4110328/2019	Mr Sylvain Police -v- Jamie's Italian Limited (in Administration)
4110329/2019	Miss Evelina Razkova -v- Jamie's Italian Limited (in Administration)
4110330/2019	Mr Waldemar Skibinski -v- Jamie's Italian Limited (in Administration)
4110331/2019	Miss Justina Sniaukaite -v- Jamie's Italian Limited (in Administration)
4110332/2019	Miss Marcelina Joanna Tumanowicz -v- Jamie's Italian Limited (in Administration)
4110333/2019	Mr Saula Vasakula -v- Jamie's Italian Limited (in Administration)
4110334/2019	Mr Ufuk Yilmaz -v- Jamie's Italian Limited (in Administration)

Multiple Schedule

Multiple: 9162 - Jamie's Italian Limited (in Administration)

Case Number	Case Name
4110263/2019	Mr Ewan MacNeil Archibald -v- Jamie's Italian Limited (in Administration)
4110264/2019	Miss Hannah Blackeborough -v- Jamie's Italian Limited (in Administration)
4110265/2019	Mr Guido Borri -v- Jamie's Italian Limited (in Administration)
4110266/2019	Mr Jamal Boutoubane -v- Jamie's Italian Limited (in Administration)
4110267/2019	Mr Salvatore Cataldo -v- Jamie's Italian Limited (in Administration)
4110268/2019	Mr Christopher Cimei -v- Jamie's Italian Limited (in Administration)
4110269/2019	Miss Erin Dobbin -v- Jamie's Italian Limited (in Administration)
4110270/2019	Ms Kate Dobson -v- Jamie's Italian Limited (in Administration)
4110271/2019	Mr Kamil Dolinski -v- Jamie's Italian Limited (in Administration)
4110272/2019	Mr David Geddes -v- Jamie's Italian Limited (in Administration)
4110273/2019	Mr Ryan Glenn -v- Jamie's Italian Limited (in Administration)
4110274/2019	Mrs Annemarie Kelly -v- Jamie's Italian Limited (in Administration)
4110275/2019	Miss Ruth MacKie -v- Jamie's Italian Limited (in Administration)
4110276/2019	Miss Michelle March -v- Jamie's Italian Limited (in Administration)
4110277/2019	Mr Allan McCafferty -v- Jamie's Italian Limited (in Administration)
4110278/2019	Mr David James Hamilton McCartney -v- Jamie's Italian Limited (in Administration)
4110279/2019	Miss Emily McFadyen -v- Jamie's Italian Limited (in Administration)
4110280/2019	Mr Ryan McKee -v- Jamie's Italian Limited (in Administration)
4110281/2019	Mr Morgan Pyle -v- Jamie's Italian Limited (in Administration)
4110282/2019	Mr Lewis Raymond -v- Jamie's Italian Limited (in Administration)
4110283/2019	Mr Alessio Santantonio -v- Jamie's Italian Limited (in Administration)
4110284/2019	Mrs Laura Stevenson -v- Jamie's Italian Limited (in Administration)
4110285/2019	Mrs Sarah van der Hoek -v- Jamie's Italian Limited (in Administration)
4110286/2019	Mr Corbyn Watson -v- Jamie's Italian Limited (in Administration)
4110287/2019	Mr John Patrick Williams -v- Jamie's Italian Limited (in Administration)