



# EMPLOYMENT TRIBUNALS

**Claimant:** (1) Jason Slessor & Others; (2) S McCumiskey; and (3) J Johnson

**Respondent:** F.A. Atkinson Limited (in voluntary liquidation)

**Interested Party:** Secretary of State for Business Energy and Industrial Strategy

**Heard at:** Newcastle Employment Tribunal **On:** 18 October 2022

**Before:** Employment Judge O'Dempsey

## Representation

Claimant (1): Jason Slessor

Claimants (2)-(3): T Parsons-Munn (Counsel)

Respondent: No Appearance

Interested Party: No Appearance (written representations)

# JUDGMENT

1. The complaints made by all of the claimants under section 189 of the Trade Union and Relations (Consolidation) Act 1992 that the respondent failed to comply with section 188 and section 188A of the Act are all well founded.

2. The respondent is ordered to pay remuneration calculated in accordance with section 190 of the Act for the protected period to those claimants in the schedule attached to this Judgment.

3. The protected period is for a period of 90 days from

3.1. In the cases of Kevin Biggs; Susan Goodfellow; Luke Hudson; Dorothy Littlefair and Denise Patrick (the office staff), 8 February 2022;

3.2. In the case of all other claimants, 7 February 2022.

4. The Employment Protection (Recoupment of Job Seekers Allowance and Income Support) Regulations 1996 apply. Regulation 6 imposes on the respondent a duty to provide information to the Secretary of State. Regulation 7 postpones this award in order to enable the Secretary of State to serve a recoupment notice under Regulation 8. The full effect of Regulations 6, 7 and 8 is set out in the annexe to this Judgment.

Employment Judge O'Dempsey

Date 18 October 2022

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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**Multiple Schedule**  
**2500090 - F.A. Atkinson Ltd**

Case Number	Case Name
2500404/2022	Mr Jason Slessor -V- F.A. Atkinson Limited (In Voluntary Liquidation)
2500408/2022	Mr David Allen -V- F.A. Atkinson Ltd
2500409/2022	Mr Will Anderson -V- F.A. Atkinson Ltd
2500410/2022	Mr Stuart Armstrong -V- F.A. Atkinson Ltd
2500411/2022	Mr Kevin Biggs -V- F.A. Atkinson Ltd
2500412/2022	Mr Graham Burgess -V- F.A. Atkinson Ltd
2500413/2022	Mr Terence Bushell -V- F.A. Atkinson Ltd
2500414/2022	Mr Dean Currie -V- F.A. Atkinson Ltd
2500415/2022	Mr Oliver Dowden -V- F.A. Atkinson Ltd
2500416/2022	Ms Susan Goodfellow -V- F.A. Atkinson Ltd
2500417/2022	Mr Luke Hudson -V- F.A. Atkinson Ltd
2500418/2022	Mr Callum Jewers -V- F.A. Atkinson Ltd
2500419/2022	Mr Jack Johnson -V- F.A. Atkinson Ltd
2500420/2022	Mr David Johnson -V- F.A. Atkinson Ltd
2500422/2022	Mr Louis Johnston -V- F.A. Atkinson Ltd
2500423/2022	Mr Adam Joyce -V- F.A. Atkinson Ltd
2500424/2022	Mr Gary Leese -V- F.A. Atkinson Ltd
2500425/2022	Ms Dorothy Littlefair -V- F.A. Atkinson Ltd
2500426/2022	Mr Calum McDonald -V- F.A. Atkinson Ltd
2500427/2022	Ms Marley McDougale -V- F.A. Atkinson Ltd
2500428/2022	Mr Colin McGarrity -V- F.A. Atkinson Ltd
2500430/2022	Mr Jack Mcumsky -V- F.A. Atkinson Ltd
2500431/2022	Mr Leslie Moat -V- F.A. Atkinson Ltd
2500432/2022	Mr Craig Morgan -V- F.A. Atkinson Ltd
2500433/2022	Mr Aidan Nichol -V- F.A. Atkinson Ltd
2500434/2022	Mr Alan O'neil -V- F.A. Atkinson Ltd
2500435/2022	Ms Denise Patrick -V- F.A. Atkinson Ltd
2500436/2022	Mr Steven Pollock -V- F.A. Atkinson Ltd
2500437/2022	Mr Craig Pomery -V- F.A. Atkinson Ltd
2500438/2022	Mr Steven Quinn -V- F.A. Atkinson Ltd
2500439/2022	Mr Kieran Quinn -V- F.A. Atkinson Ltd
2500440/2022	Mr James Redpath -V- F.A. Atkinson Ltd
2500441/2022	Mr Thomas Rothwell -V- F.A. Atkinson Ltd
2500442/2022	Mr Kristopher Sinclair -V- F.A. Atkinson Ltd
2500443/2022	Mr Mason Slessor -V- F.A. Atkinson Ltd
2500444/2022	Mr Owen Sparkes -V- F.A. Atkinson Ltd
2500445/2022	Mr Stephen Turner -V- F.A. Atkinson Ltd
2500446/2022	Mr Aaron Ward -V- F.A. Atkinson Ltd
2500447/2022	Mr Kevin Warren -V- F.A. Atkinson Ltd
2500448/2022	Mr Steven Winter -V- F.A. Atkinson Ltd
2500449/2022	Mr Chris Woolrych -V- F.A. Atkinson Ltd
2500450/2022	Mr Chris Woolrych -V- F.A. Atkinson Ltd
2500725/2022	Mr Stephen Mccumiskey -V- F.A. ATKINSON LIMITED (In Voluntary Liquidation)
2500726/2022	Mr John Johnson -V- F.A. ATKINSON LIMITED (In Voluntary Liquidation)