



EMPLOYMENT TRIBUNALS

Claimant: Mr J Barratt & Others

Respondent: 1. Kershaw Mechanical Services Limited (In Administration)

JUDGMENT BY CONSENT

UPON reading the joint application submitted by the Claimants whose details are set out in Schedule 1 (the **Claimants**) and the First Respondent.

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

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. Permission for the claims presented by the Claimants proceed against the First Respondent, and the lifting of the moratorium in relation to those claims, was granted by the administrators of the First Respondent on 4 October 2022. This is subject to the conditions agreed by the Claimant's representative on 28 September 2022.
2. The Claimants were employed by the First Respondent.
3. In relation to the Claimants the claim for a protective award brought under section 189 of the Trade Union & Labour Relations (Consolidation) Act 1992 succeeds.

4. The First Respondent is ordered to pay remuneration to the Claimants for a protected period of 60 days beginning on 1 April 2022 (being the date on which the first of the dismissals to which the complaint relates took effect).
5. The Claimants have no other claims in the Employment Tribunal against the First Respondent.
6. This Judgment does not apply to the combined claim of Mr P Carey (case number 3309696/2022) for which consent has not been granted by the administrators of the First Respondent to lift the moratorium.
7. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply to this award.
8. Subject to the normal categories of preferential debts set out in Schedule 6 of the Insolvency Act 1986, any payments made by the First Respondent (rather than the Secretary of State) pursuant to this Judgment will be paid as an unsecured dividend and the Claimants agree that they will not rank or be otherwise payable as an expense of the administration or any subsequent liquidation.
9. There shall be no order as to costs or interest and each party shall bear their own costs in these proceedings.

Regional Employment Judge Foxwell

Date: ___7 March 2023_____

JUDGMENT SENT TO THE PARTIES ON

.....27/03/2023.....

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FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Multiple Schedule

Multiple: 3300562 - Kershaw Mechanical Services Limited (In Administration)

Case Number	Case Name
3308920/2022	Mr Jonathan Barratt -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308921/2022	Ms catherine blundell -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308922/2022	Mr marc booth -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308923/2022	Mr richard buck -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308924/2022	Mr iain butterworth -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308925/2022	Mr william carter -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308926/2022	Mr phillip chapman -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308927/2022	Mr miles darling -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308928/2022	Mr simon desborough -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308929/2022	Ms magdalena domanska -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308930/2022	Mr paul green -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308931/2022	Mr charlie griffey -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308932/2022	Mr daryl gritton -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308933/2022	Mr gregory handscombe -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308934/2022	Mr lee houghton -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308935/2022	Mr steven hunt -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308936/2022	Mr daniel kerrison -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308937/2022	Ms tracy knightley -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308938/2022	Mr peter marsh -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308939/2022	Mr simon mears -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308940/2022	Mr mason newman -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308941/2022	Mr michael poole -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308942/2022	Mr karen ricci -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308943/2022	Mr gholam shetab -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308944/2022	Mr gary tilley -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308945/2022	Mr mark underwood -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308946/2022	Ms tracey warrington -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308970/2022	Mr Thomas Clark -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308971/2022	Mr andrew moore -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308972/2022	Mr daniel poole -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308973/2022	Mr michael white -v- Kershaw Mechanical Services Limited (In Administration) & Others
3308974/2022	Mr martin vella -v- Kershaw Mechanical Services Limited (In Administration) & Others