



# **EMPLOYMENT TRIBUNALS**

**Claimants: Mr S Ellis and others (see attached schedule)**

**First Respondent: Mechanical Facilities Limited (In Administration)**

**Second Respondent: Secretary of State for Business, Energy or Industrial Strategy**

**HEARD : In Leeds (papers only)**

**ON: 4 April 2023**

**Employment Judge JM Wade (in chambers)**

Upon considering the claims and the response of the Second Respondent and no party having objected to a papers hearing:

## **JUDGMENT**

- 1 The Respondent failed adequately to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992 and each claim (for themselves only) of the Claimants listed in the schedule, for a Protective Award under section 189 of the Trade Union & Labour Relations (Consolidation) Act 1992, is well founded and succeeds.
- 2 The First Respondent is ordered to pay remuneration for a protected period of 90 days beginning on 5 April 2022 (being the date on which the first of the dismissals to which the complaint relates took effect) to each Claimant in the schedule.
- 3 The recoupment regulations apply.

Employment Judge JM Wade  
4 April 2023

**Case No: 1802968/2022  
and 16 others (see attached schedule)**

Schedule of Claims

Case Number	Claimant
1802968/2022	Mr S Ellis
1804182/2022	Ms N Whitmore
1804183/2022	Mr P Bhardwaj
1804184/2022	Ms E Carver-Smith
1804185/2022	Mr P Charlton
1804186/2022	Ms H Cousins
1804187/2022	Mr D Gregory
1804188/2022	Ms S Holmes
1804189/2022	Mr G Kite
1804190/2022	Mr G Lumley
1804191/2022	Mr J O Malley
1804192/2022	Mr D Ramsey
1804193/2022	Mr D Roberts
1804194/2022	Mr H Roberts
1804195/2022	Mr J Ruck
1804196/2022	Mr G Smith
1804197/2022	Mr B J Smith