



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Osawuru and others as set out in the Schedule

**Respondents:**

1. **GE Realisations 2003 Limited (in creditors voluntary liquidation)**
2. **G2 Energy Limited (in creditors voluntary liquidation)**
3. **Secretary of State for business Energy and Industrial Strategy**

## JUDGMENT BY CONSENT

*Pursuant to Rule 64 of the Employment Tribunals Rules of Procedure 2013*

1. The Joint Liquidators, acting as agents of the First Respondent and strictly subject to paragraphs 8 and 9 below, do not object to the Claims presented by the Claimants proceeding against the First Respondent.
2. The Claimants were all employed by the First Respondent as at 3 July 2023.
3. On 3 July 2023, the First Respondent entered creditors' voluntary liquidation and the Joint Liquidators were appointed to the First Respondent on the same date.
4. On 3 July 2023, the Claimants were dismissed by the First Respondent by reason of redundancy.
5. The Claimants have raised a complaint pursuant to section 189 of The Trade Union and Labour Relations (Consolidation) Act 1992 (the "Act") and are seeking a protective award in respect of the First Respondent's failure to consult in accordance with section 188 and section 188A of the Act.
6. The First Respondent accepts that the Claimants were all assigned to an establishment where 20 or more redundancies were proposed by their employer, the First Respondent, within a period of 90 days. However, the First Respondent did not fully inform and consult with the Claimants in accordance with the provisions of section 188 and section 188A of the Act.

7. The Tribunal makes a protective award in favour of each of the Claimants for a protected period of 56 days, capped at the amount payable by the Redundancy Payments Service (“**RPS**”) via the Second Respondent in accordance with the RPS’s own regulations and limits and subject to any deductions for National Insurance contributions and income tax at the appropriate rate(s) as required by law (the “**Protective Award Payments**”).
8. The Protective Award Payments rank as preferential debts in the liquidation of the First Respondent pursuant to paragraph 13(2)(d) of Schedule 6 to the Insolvency Act 1986 and shall not be an expense of the liquidation estate or be payable personally by the Joint Liquidators or either of them. However, the parties acknowledge and accept that the Protective Award Payments shall be paid in full by the RPS via the Second Respondent and the RPS shall be subrogated to the Claims of the Claimants.
9. The Joint Liquidators act as agents for the First Respondent and neither they nor their representatives or employees shall incur any personal liability in any circumstances whatsoever by virtue of the Claims, the Protective Award Payments or this Judgment, nor in relation to any related matter or claim.
10. The parties agree that for the purposes of this Judgment, the protected period in relation to each of the Claimants begins on their respective termination date as set out in the Schedule and lasts for 56 days.
11. There is no order requiring any party to pay or reimburse another party’s costs or fees. Each party shall bear their own costs and fees.
12. For the avoidance of doubt, this Judgment applies to the Claimants only and it is agreed by the Claimants that the Claims are extinguished in their entirety by this Judgment.

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**Employment Judge Spencer**

**6 February 2024**  
**Date of Judgment**

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**14 February 2024**  
**Date sent to parties**

**For The Tribunal Office**

**SCHEDULE** –

**Claimants who are entitled to a protective award for a 56 day period and are included within the scope of the Judgment**

<b>No.</b>	<b>FIRST NAME</b>	<b>LAST NAME</b>	<b>REDUNDANCY DATE</b>
1.	Kelly	Osawaru	03/07/2023
2.	Peta-gay	Rigmaiden	03/07/2023
3.	Wesley	Reynolds	03/07/2023
4.	Louise	Chaffey	03/07/2023
5.	Guy	Williams	03/07/2023
6.	Semeji	Fawehinmi	03/07/2023
7.	Marie	Wright	03/07/2023
8.	Eve-Marie	Chadwick	03/07/2023
9.	Shaibu Ojonugwa	Micheal	03/07/2023
10.	Piotr	Jurkiewicz	03/07/2023
11.	Sebastian	Orbe Davis	03/07/2023
12.	Sean	Pinney	03/07/2023
13.	Patrick	Mynett	03/07/2023
14.	Heather	Salter	03/07/2023
15.	Steven	Sadler	03/07/2023
16.	Kiran	Singh	03/07/2023
17.	Joanna	Rysz	03/07/2023
18.	Alice	Noakes	03/07/2023
19.	Jack	Hoogstraten	03/07/2023
20.	David	Ireson	03/07/2023
21.	Deon	Muchiza	03/07/2023
22.	Leila	Brookes	03/07/2023
23.	Sophie	Preece	03/07/2023
24.	Mark	Crowell	03/07/2023
25.	Stacey	Fisher	03/07/2023
26.	Sian	Fisher	03/07/2023

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27.	Nigel	Higgon	03/07/2023
28.	Nicholas	Alner	03/07/2023
29.	Carl	Howard	03/07/2023
30.	Richard	Furniss	03/07/2023
31.	Curt	James	03/07/2023
32.	Amana	Walden	03/07/2023
33.	Robbie	McCrone	03/07/2023
34.	Haseeb	Abdullah	03/07/2023
35.	Gary	Tabner	03/07/2023
36.	Philip	Sykes	03/07/2023
37.	Sameh	Dawoud	03/07/2023
38.	Martin	Asare	03/07/2023
39.	Graeme	Hannah	03/07/2023
40.	Shaquille	Hercules	03/07/2023
41.	Stephanie	Cox	03/07/2023
42.	Gary	Hopkins	03/07/2023