



EMPLOYMENT TRIBUNALS

Claimants: S Rhoades and others (See schedule)
Respondent: Testerworld Limited
Rule 96 party: Secretary of State for Business and Trade

Heard at: Newcastle (by video) **On:** 24-25 July 2024

Before: Employment Judge Aspden

Appearances

For the claimants: Mr Ratledge, counsel for certain claimants; Ms Bonifai (for Mr Williams); Mr Perrin (for himself and Mr Marta); Mr Jones (for various claimants); Ms Philips; Mrs Kean;

For the respondent: not in attendance

For the Secretary of State: not in attendance

JUDGMENT

1. The claimants' claims that the respondent failed to comply with the requirements of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 in respect of their dismissals are well founded.
2. The Tribunal orders the respondent, by way of protective award under section 189(3) of the 1992 Act, to pay to each of the claimants a payment equivalent to remuneration for the period of 90 days beginning on the date shown in the table in the schedule.

Recoupment

3. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 apply to these awards. In each case the protected period is the period of 90 days beginning on the date shown in the table in the schedule.

Employment Judge Aspden

Date: 25 July 2024

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.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>

Case No: 1402704/2022 and others (see schedule)

Schedule of claimants

Case number	Claimant	Start of protected period
1402704/2022	Mr S Rhoades	12/8/22
1403475/2022	R Phillips	9/9/22
1804480/2022	Mr C Williams	30/6/22
1804472/2022	Mrs M Kean	22/7/22
1804518/2022	Miss T Mathewman	24/8/22
2501011/2022	Miss D Lennox	12/8/22
2501122/2022	Mrs L Pimperton	12/8/22
2501519/2022	Miss N Parker	18/8/22
2501342/2022	Ms A White	10/8/22
1300016/2023	Mr D Jones	18/11/22
1300017/2023	Mrs T Milsom	28/10/22
1300018/2023	Mr K Szymankiewicz	30/9/22
1300019/2023	Mrs M Symankiewicz	31/10/22
1300020/2023	T Parkes	31/10/22
1300021/2023	V Slater	30/9/22
1300022/2023	P Askey	31/10/22
1303809/2022	A Hodgetts	12/8/22
1304569/2023	Mr A Marsh O'Connor	12/5/23
1304570/2023	L Faulkner	12/5/23
2405910/2022	Mr D Marta	31/8/22
2405887/2022	Mr G Perrin	30/12/22