



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs E Knell

**Respondent:** Shearings Holiday Ltd (In Administration)

## JUDGMENT BY CONSENT

**UPON** reading the joint application submitted by the Claimant and First Respondent on behalf of the parties and the Second Respondent having consented to that application.

**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 Claimant to proceed against the Respondent, and the lifting of the moratorium, is granted by the administrators of the First Respondent.

### **2. Protective Award**

2.1 The Claimant was employed by the First Respondent.

2.2 On 22<sup>nd</sup> May 2020, the Claimant was dismissed by the First Respondent by reason of redundancy.

2.3 In relation to the Claimant the Respondent, failed to adequately comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992 and the claim for a protective award brought under section 189 of the Trade Union & Labour Relations (Consolidation) Act 1992 succeeds.

2.4 The Respondent is Ordered to pay remuneration to the Claimant for a protected period of 60 days beginning on 22<sup>nd</sup> May 2020 (being the date on which the first of the dismissals to which the complaint relates took effect).

2.5 All further proceedings of the Claimant in this action be stayed.

2.6 The Recoupment Regulations apply to this award.

### **3. Preferential debts**

3.1 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.

**4. Costs**

4.1 There shall be no Order as to costs and each party shall bear their own costs in these proceedings

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Employment Judge Khalil  
Date: 10 May 2023