



# EMPLOYMENT TRIBUNALS

**Claimants:** Mr E Berkolds and 26 others listed on the attached schedule

**Respondents:** 1. Jamie's Italian Limited (in Administration)  
2. The Secretary of State for BEIS

## JUDGMENT

**UPON** the parties having agreed to the terms 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 named in the attached Schedule to this Judgment to proceed against the first respondent, and the lifting of the moratorium in relation to those claims, is granted by the Administrators of the first respondent.
2. The claim registered in the name of Mr Edward Berkolds under case number 2411010/2019 is a duplicate of the claim registered in the same name under case number 2411011/2019.
3. The claim under case number 2411010/2019 is therefore dismissed on withdrawal.
4. **Protective Award**
  - 4.1 In relation to the claimants named in the attached Schedule to this Judgment the first 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.

4.2 The first respondent is ordered to pay remuneration to the claimants named in the attached schedule, for a protected period of 56 days beginning on 21 May 2019 (being the date on which the first of the dismissals to which the complaint relates took effect).

5. **Preferential debts**

5.1 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 second respondent) pursuant to this Judgment will be paid as an unsecured dividend.

6. **Costs**

7. 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 Batten  
30 December 2020

JUDGMENT SENT TO THE PARTIES ON

18 January 2021

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](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Mr Edward Berkolds & others

Claimants

- v -

Jamie's Italian Limited (in administration)

First Respondent

The Secretary of State for Business, Energy and Industrial Strategy

Second Respondent

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SCHEDULE

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| Title (Miss, Mrs, Mr etc) | First Name        | Second name  | Case number  |
|---------------------------|-------------------|--------------|--------------|
| Mr                        | Edward            | Berkolds     | 2411011/2019 |
| Ms                        | Jacqueline        | Binge        | 2411012/2019 |
| Mr                        | Jeremy            | Gagne        | 2411013/2019 |
| Ms                        | Annalie           | Gunner       | 2411014/2019 |
| Mr                        | Peter             | James        | 2411015/2019 |
| Mr                        | Gabor             | Kovacs-Halmi | 2411016/2019 |
| Mr                        | Marcel            | Lovin        | 2411017/2019 |
| Ms                        | Katherine         | Lowes        | 2411018/2019 |
| Mr                        | Alan              | Macleod      | 2411019/2019 |
| Mr                        | Alistair          | Malcolm      | 2411020/2019 |
| Ms                        | Bebiana           | Moreira      | 2411021/2019 |
| Ms                        | Daniele           | Moscato      | 2411022/2019 |
| Ms                        | Monika            | Osowicka     | 2411023/2019 |
| Mr                        | Michael           | Pendleton    | 2411024/2019 |
| Mr                        | Steven            | Percy        | 2411025/2019 |
| Ms                        | Jacalyn           | Regan        | 2411026/2019 |
| Mr                        | Ingus             | Rurans       | 2411027/2019 |
| Ms                        | Amy               | Rushworth    | 2411028/2019 |
| Ms                        | Karolina          | Rutkowska    | 2411029/2019 |
| Ms                        | Estela Del Carmen | Sanchez Ruiz | 2411030/2019 |
| Mr                        | Joshua            | Singh        | 2411031/2019 |
| Ms                        | Rebecca           | Smith        | 2411032/2019 |
| Mr                        | Szabolcs          | Szimon       | 2411033/2019 |
| Ms                        | Tijana            | Taci         | 2411034/2019 |
| Mr                        | Akos              | Urban        | 2411035/2019 |
| Mr                        | James             | Watkins      | 2411036/2019 |
| Mr                        | Richard           | Welch        | 2411037/2019 |