

THE INDUSTRIAL TRIBUNALS

CASE REF: 13393/20

CLAIMANT: British Air Line Pilots' Association

RESPONDENT: Flybe Limited (In Administration)

JUDGMENT BY CONSENT

CONSTITUTION OF TRIBUNAL

Employment Judge (sitting alone): Employment Judge Hamill

APPEARANCES:

The claimant was represented by Ms Rosemary Lundy of Arthur Cox Solicitors.

The respondent was represented by AM Hudson, Administrator.

1. Pursuant to Regulation 59 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020 it is ordered as follows:-
 - (1) In accordance with Section 217(2) of the Employment Rights (Northern Ireland) Order 1996 ("the 1996 Order") the Industrial Tribunal makes a declaration that the respondent failed to comply with requirements of Article 216; and
 - (2) By consent of the relevant parties, the Industrial Tribunal orders a protective award of 60 days' pay in respect of all pilots falling within the recognised bargaining unit which are listed in Schedule 1 (attached) beginning on the date of their dismissal.
 - (3) Subject to the normal categories of preferential debts set out in Schedule 6 of the Insolvency Act 1986, any payments made by the respondent (rather than the Secretary of State) pursuant to this judgment will be paid as an unsecured dividend.
 - (4) No Order as to costs.

2. This is a relevant decision for the purposes of the Industrial Tribunals (Interest) Order (Northern Ireland) 1990.

Employment Judge:



Date: 26 July 2021

This judgment was entered in the register and issued to the parties on:

**IN THE OFFICE OF THE INDUSTRIAL TRIBUNALS
AND THE FAIR EMPLOYMENT TRIBUNAL**

CLAIM NUMBER: 13393/20IT

BETWEEN:

BRITISH AIR LINE PILOT'S ASSOCIATION

Claimant

-and-

FLYBE LIMITED (IN ADMINISTRATION)

Respondent

SCHEDULE 1 OF JUDGMENT BY CONSENT

No.	Forename	Surname	Base
1.	Peter	Donnelly	BHD
2.	Stephen	Gillan	BHD
3.	Michael	Montgomery	BHD
4.	Victor	Henning	BHD
5.	Howard	Courtenage	BHD
6.	Ryan	Phillips	BHD
7.	Christopher	Jones	BHD
8.	James	Brown	BHD
9.	Aidan	O'Neill	BHD
10.	Daniel	Spragg	BHD
11.	Nigel	Lowry	BHD
12.	David	Killen	BHD

No.	Forename	Surname	Base
13.	Robin	Lewis	BHD
14.	Warren	McBride	BHD
15.	Peter	Amos	BHD
16.	Dan	Greening	BHD
17.	David	Crowe	BHD
18.	Andrew	Yates	BHD
19.	Tim	Magill	BHD
20.	Daniel	Filmer	BHD
21.	Stephen	Irwin	BHD
22.	Jose	Goncalves Pereira	BHD
23.	Katie	Maclennan	BHD
24.	James	Clay	BHD
25.	Mirko	Scholten	BHD
26.	Anna	Van Noordenne	BHD
27.	David	Sanchez Manso	BHD
28.	Adam	Mauseth	BHD
29.	Matthew	Giles	BHD
30.	Stuart	Mcconachie	BHD
31.	Jonathan	Travers-Hind	BHD
32.	Stephen	Lynn	BHD
33.	Christopher	Mccabe	BHD
34.	Michael	Mckinley-Good	BHD
35.	Martin	Scullion	BHD
36.	Barry	Mcerlean	BHD
37.	Ryan	Madden	BHD
38.	David	Walsh	BHD
39.	Mohamed	Ali	BHD

No.	Forename	Surname	Base
40.	Mohammed	Ali	BHD
41.	Ben	Cornwell	BHD
42.	Hugo	Clarke-Wing	BHD
43.	Paul	Lambert	BHD