

## Employee questions and answers

Questions	Answers
<b>What has happened and why?</b>	<p>In recent months the Group has struggled with a loss of a number of key customers during 2021 which has created significant financial challenges. A number of sale options were explored but generated limited interest and as a result management took the difficult decision to enter administration. Certain employment roles and a number of services have been transferred to key customers under their contractual arrangements</p>
<b>Who are the administrators and what is their role?</b>	<p>Helen Wheeler-Jones, Eddie Williams and Matthew Hammond were appointed as joint administrators of the Company just before 4pm on Friday 24 September 2021</p> <p>An Administrator is an officer of the Court and is qualified to manage the affairs of a business when it is insolvent. It is their role to take control of a company's affairs when it is in financial difficulty and try to find a longer term solution for it. The Administrators act as agents of the Company and without personal liability.</p>
<b>Will my wages be paid?</b>	<p>Unless you've been asked to remain with the Company in administration, I regret that no payment can be made to you for wages. If you're owed wages for the period prior to administration, these can be claimed from the RPS. You can make a claim to the Redundancy Payments Service ("RPS") for wages up to and including 24 September as well as overtime and other amounts payable in arrears.</p>
<b>I was due to work Saturday, Sunday and Monday. Will I be paid for these days or can I claim them from the RPS?</b>	<p>Given management's decision to ask everyone to go home on Friday 24th September and await further communications, shifts over the weekend were not worked therefore you are not able to claim for work not completed.</p> <p>The RPS isn't able to pay claims for wages owed after the date of administration.</p>
<b>Will the RPS pay holiday carry forward from last year?</b>	<p>Holidays accrued but not taken up to 24 September can be claimed from the RPS. The RPS may also pay some carry forward holidays, depending on the Company holiday policy and the number of days owed to you. Days can only be claimed where there is evidence to support the carry forward entitlement.</p>

**My claim to the RPS has been rejected, what should I do?**

We have been in conversations with the RPS and can confirm that rejections have been sent to a number of colleagues in error. If you've been made redundant and have had notification that your claim has been rejected, please disregard the notification and contact the RPS directly for any further queries regarding your claim.

**What will happen to my Service Days and Banked Service Days?**

Your annual holiday entitlement increases depending on your length of service and so will automatically be taken into account when the number of days owed is calculated. If the RPS aren't able to pay you for any banked service days, you will be a preferential creditor for any amounts owed to you.

**Money was deducted from my last pay for Court Orders, Child Maintenance and Child Care Vouchers. Have these been paid?**

We will work with your payroll and finance team to understand if there are any unpaid deductions. We'll provide details to the RPS as these can be claimed from the RPS as part of your claim for unpaid wages.

**Will my expenses be paid?**

Regrettably, the Company is unable to pay any expenses incurred prior to the appointment that have not yet been paid. This includes claims which had been authorised for payment but not yet paid.

**Are all of my pension contributions paid up to date?**

We're currently working with a specialist team to understand the position of any pension contributions deducted from your pay which haven't yet been paid over to the provider. If a claim can be made to the RPS for amounts owed to the scheme you don't need to take any action for this claim to be made. It is likely to be several months before these contributions are credited to your pension so please be mindful of this if you're considering retirement.

We'll provide updates via this Q&A document.

**How did you decide who transferred to sainsbury/asda**

Employees whose roles were wholly or primarily associated to transferring services will have transferred by operation of law.

**Will wages for w/c 20/9 be paid?**

Unfortunately, given the financial circumstances of the company it is unable to pay any arrears of wages accrued prior to the appointment to those who have been made redundant. Claims for unpaid wages, overtime and allowances can be made to the RPS.

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**When will I receive my P45?**

Your P45 will be produced by the Company's payroll team and sent to you at your home address. You can find details at <https://www.gov.uk/payee-forms-p45-p60-p11d> if you've got any concerns about not yet having your P45.

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**Will we receive back pay for recent pay rises?**

Although members agreed to the proposed pay increase through the Union ballot process, unfortunately the final steps in the process hadn't been concluded and so for those made redundant there is no contractual entitlement to the increase or any back pay.

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**Can we claim compensation for there being no consultation prior to our redundancy?**

In some circumstances, you may be entitled to be compensated for a lack of consultation. You can find out more information at <https://www.gov.uk/government/publications/explaining-your-protective-award/explaining-your-protective-award>.

You will need to request the Administrators' consent before any claim can be made. Requests should be made by email to [uk\\_evcl\\_employees@pwc.com](mailto:uk_evcl_employees@pwc.com). You should also provide this email address to ACAS as part of the early conciliation process.

If you're a member of Unite or URTU please speak to your Union official before taking any action yourself.

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**If I get a new job, is my payment from the RPS affected?**

Any earnings from new employment in your statutory notice period are taken into account by the RPS when it calculates the amount of compensatory notice pay that you're entitled to receive. Your statutory notice period may be more or less than your contractual notice period and is 1 week for every completed year of service up to a maximum of 12 weeks.

No other claims are affected by new employment.

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**I have keys for my locker/filing cabinet/office. Do I need to return these?**

If you have any keys in your possession please contact us at [uk\\_evcl\\_employees@pwc.com](mailto:uk_evcl_employees@pwc.com) in the first instance so that we can agree if your keys need to be returned and how.

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**How can I get a reference for a new employer?**

Any requests for a reference should be sent to [hr.sharedservices@evcargo.com](mailto:hr.sharedservices@evcargo.com) in the first instance.

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**Can I get copies of my training certificates and licences?**

Where possible we will try to let you have original documents relating to your qualifications, if they are available. Copies of original documents won't be provided as you will have the original documents.

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**The Union had agreed a settlement with the Company and we were expecting to receive £400 in September. Will this be paid?**

We understand that the Unions had made a claim in respect of a failure to consult over the transfer of employment from NFT to EVCL. Although agreement had been reached, the necessary documentation hadn't been finalised and so payment had not become due to you.

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**Will we receive back pay for recent pay rises?**

We've reviewed the documents and have established that the payment hadn't become due. Accordingly you're not entitled to "back pay" for a pay deal voted on by members.

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**Will pension contributions, deducted from wages, be paid to the pension provider?**

If deductions were made from your pay and these haven't been paid over to the provider, we are reviewing these schemes and will update these Q&A when further information is available.

For those who remain an employee of the Company during the administration, any pension contributions deducted from your pay in October will be paid to the pension provider along with any employer contribution.

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**I worked for an agency before becoming an employee of EVCL. Is my start date backdated to when I started with the agency?**

Your start date will be shown in your Contract of Employment. The Company didn't back date start dates to take into account any time spent working through an agency.

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*Helen Laura Wheeler-Jones, Edward Williams and David Matthew Hammond have been appointed as Joint Administrators of EVCL Chill Limited (formerly EV Cargo Logistics Limited), EVCL One Ltd, EVCL Two Ltd and EVCL Three Ltd to manage their affairs, businesses and properties as agents and without personal liability.*

*Helen Laura Wheeler-Jones, Edward Williams and David Matthew Hammond are all licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales.*

*The Joint Administrators are bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.*

*The Joint Administrators may act as controllers of personal data as defined by UK data protection law depending upon the specific processing activities undertaken. PricewaterhouseCoopers LLP may act as a processor on the instructions of the Joint Administrators. Personal data will be kept secure and processed only for matters relating to the Joint Administrators' appointment. Further details are available in the privacy statement on the [PwC.co.uk](https://www.pwc.co.uk) website or by contacting the Joint Administrators.*