

Question	Answer
General Claims Information	
1. What is the difference between a preferential and an unsecured claim for employees?	<p>UK Insolvency legislation gives legal priority to certain types of creditors for some elements of their claims. These are referred to as preferential claims. If funds are available for distribution to creditors, preferential claims get paid before other “unsecured” creditors.</p> <p>An employee may have both a preferential and unsecured claim depending on what was owed to them at the time of, or as a result of, their employer’s insolvency.</p> <p><u>Preferential claims:</u></p> <p>Employee preferential claims, which are outstanding at the relevant date, are specifically defined in Section 386 and Schedule 6 of the Insolvency Act 1986.</p> <p>The types of employee claims that may rank as preferential include unpaid arrears of wages or salary, accrued holiday pay and certain pension arrears.</p> <p>The amount which ranks preferentially may be subject to certain statutory limits in respect of the period covered and/or amount. For example, claims for arrears of wages owed for the four-month period before the insolvency proceedings are subject to a maximum overall claim (per employee) of £800. However, accrued holiday pay is not limited by the same period.</p> <p><u>Unsecured claims:</u></p> <p>An unsecured claim is a claim that is not supported by any security and is not afforded any special priority in law. For employees, unsecured claims will typically include arrears of wages in excess of £800; any amounts employees are owed above the Redundancy Payments Service (<b>RPS</b>) statutory limits for pay in lieu of notice (<b>PILON</b>); and contractual PILON or redundancy pay.</p> <p>An unsecured claim will only be paid if there are sufficient funds available to pay a distribution to the unsecured creditors of that specific company. For most of the Thomas Cook companies which are expected to pay an unsecured distribution, it is anticipated that the dividend level will be modest.</p>

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<p>2. Why did the Redundancy Payments Service (RPS) pay me some or all of my claim?</p>	<p>The RPS accelerates the payment of certain elements of employee claims to avoid employees having to wait until any potential distribution is paid from your insolvent former employer.</p> <p>The RPS will pay up to the specific limits, regardless of whether your former employer has sufficient funds to pay a distribution or not in due course, to minimise the financial impact to employees in an insolvency situation.</p> <p>This is why you may have been paid part or all of your claim by the RPS.</p> <p>Further information on what you can claim and statutory limits can be found here:</p> <p><a href="https://www.gov.uk/government/publications/redundancy-payments-rp1-fact-sheet/what-to-do-when-youve-been-made-redundant">https://www.gov.uk/government/publications/redundancy-payments-rp1-fact-sheet/what-to-do-when-youve-been-made-redundant</a></p> <p>and here: <a href="https://www.gov.uk/your-rights-if-your-employer-is-insolvent/what-you-can-get">https://www.gov.uk/your-rights-if-your-employer-is-insolvent/what-you-can-get</a></p>
<p>3. Will I receive more money from my former employer?</p>	<p>This will depend firstly, on whether your claim has been paid in full by the RPS as explained in question 2, or whether you have a residual outstanding claim either as a preferential or unsecured creditor.</p> <p>Secondly, it will depend on whether your former employer has sufficient funds to enable a distribution to be paid.</p> <p>Further information on both points is provided below.</p>

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4. How do I know which Thomas Cook companies are making distributions to either preferential or unsecured creditors?	<p>The Liquidator will issue updated reports detailing which Thomas Cook companies are likely to make preferential and/or unsecured distributions.</p> <p>Any reports issued by the Liquidator will be available for viewing on the Official Receiver's website and the Special Managers' portals (links provided below at question 5).</p> <p>The distribution position in any document is based on current information as at the date of issue and may be subject to change.</p> <p>If the likelihood of a distribution for any of the Thomas Cook companies is updated, details of new distribution prospects will be amended so creditors, including employees, should continue to check the portals for any updates as they will not be notified separately.</p> <p>In addition, further information regarding the likely distribution prospects for each of the Thomas Cook companies is available on the Thomas Cook Claims Site at: <a href="http://www.thomascookukliquidations.com">www.thomascookukliquidations.com</a>.</p>
5. Where can I see a copy of the Liquidators' report?	<p>Copies of reports issued by the Liquidator are available on the government website at:</p> <p><a href="https://www.gov.uk/government/news/thomas-cook-information-for-customers-employees-creditors-and-shareholders">https://www.gov.uk/government/news/thomas-cook-information-for-customers-employees-creditors-and-shareholders</a></p> <p>Copies are also on the Interpath Special Manager's creditor portal: <a href="https://www.ia-insolv.com/case+INTERPATH+TJ92394848.html">https://www.ia-insolv.com/case+INTERPATH+TJ92394848.html</a></p> <p>Copies are also on the AlixPartners Special Manager's creditor portal: <a href="https://www.tcuk-information.co.uk/liquidatorsreports.html">https://www.tcuk-information.co.uk/liquidatorsreports.html</a></p>

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6. There is a discrepancy between the amounts I think may be owed to me and the amounts paid to me by the RPS, what should I do?	<p>If you believe that further amounts may be owed to you by the RPS, please contact the Special Managers' employee claims agents in the first instance:</p> <p><b>Evolve IS (for AlixPartners Special Manager companies)</b> Email tcclaims@evolveis.uk Telephone +44 (0) 121 333 1299</p> <p><b>ERA Solutions (for Interpath Special Manager companies)</b> Email claims@era-solutions.co.uk Telephone +44 (0) 1827 383 531</p>
7. Share Incentive Plan	<p>If you hold any shares for Thomas Cook Group Plc, this is a shareholder claim and not a creditor claim.</p> <p>Please note that it is not anticipated that any payments will be made to any shareholders of Thomas Cook Group Plc as there will be insufficient funds to do so. As such the Special Managers are not requesting that claims of this nature be submitted.</p>
<b>Preferential claims</b>	
8. What elements of my claim are preferential?	<p>As stated above in the General Claims Information section, the claims from employees which rank as preferential are specifically defined in The Insolvency Act 1986.</p> <p>Depending on your personal circumstances, your preferential claim may include unpaid arrears of wages or salary, accrued holiday pay and certain pension arrears. These claims are subject to certain statutory limits (as set out in the answer to question 1 above).</p> <p>Further information on pensions is included at Question 28.</p>

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<p>9. I have been paid up to the statutory limits by the RPS. Will I receive any more money in respect of my preferential claim?</p>	<p>Whether you will receive more money in respect of your preferential claim will depend on:</p> <ol style="list-style-type: none"><li>1) whether or not your preferential claim was paid in full by the RPS. When it made payment in respect of your claim, the RPS should have provided you with details of your gross claim and any relevant deductions. This breakdown would have also confirmed if elements of your claim exceed the statutory limits paid by the RPS; and</li><li>2) whether or not your former employer has sufficient funds to pay a distribution to its creditors (further details on this will be provided in the Liquidator's report, see question 5 above).</li></ol> <p>For further details on the amounts paid to you by the RPS, please contact the RPS (using the contact details provided in their <a href="#">website</a>) or refer to their guidance <a href="#">here</a>.</p> <p>The case reference number is CN10004861.</p>
<p>10. Will my preferential claim be paid in full or will I only receive a proportion of my claim (i.e. pence in the £).</p>	<p>This will depend on the funds available for distribution in each company. Further details on this will be provided in the Liquidator's reports, and on the Thomas Cook Claims Site (see question 5 above).</p> <p>If your former employer has insufficient funds to make any distributions, no further payment will be made to you by your former employer.</p>
<p>11. How will I be communicated with by the Special Managers?</p>	<p>In the event that the Liquidator considers there to be a reasonable prospect of a distribution being paid by the Thomas Cook UK liquidation company that was your contractual employer, the Special Managers will write to you individually at the address held on file, providing details of your preferential claim.</p> <p>In addition, copies of any reports issued by the Liquidator will be available for all creditors to view and access (see question 5 above).</p>

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<p>12. How do I find out how much I am owed?</p> <p>Is there a breakdown of the claim I submitted to the RPS which shows my residual claim?</p>	<p><u>Information from the Special Managers:</u>  As detailed above, where your former employer has sufficient funds to enable a distribution to be paid, the Special Managers will write to you individually at the address held on file, providing details of your preferential claim.</p> <p>If a distribution is being made, a breakdown of your claim, including any amounts paid by the RPS and details of any outstanding amounts owed to you in respect of your preferential claim will be provided.</p> <p>The Special Managers will also confirm the anticipated level of distribution i.e. whether the balance of your preferential claim is being paid in full, or whether the distribution will be a percentage of your claim (pence in the pound).</p> <p>Further details are provided in questions 8-10 above.</p> <p><u>Information from the RPS:</u>  If you have a query regarding the amount you have received from the RPS, you can contact them directly (please see question 9 above).</p>
<p>13. How do I make a claim against my former employer for any residual preferential balance I am owed?</p>	<p>In the event that the Liquidator considers there to be a reasonable prospect of a distribution being paid by the Thomas Cook UK liquidation company that was your contractual employer, the Special Managers will write to you individually at the address held on file, providing details of your preferential claim.</p> <p>This will include details of the claim you submitted, any amounts paid to you already by the RPS and if applicable, the balance of any preferential claim you have.</p> <p>A claim for the balance of your preferential claim will automatically be submitted against your contractual employer (as shown in the company records) and you will not be required to provide any further information, unless you disagree with the information provided.</p> <p>Further explanatory information will be included in the letter you receive.</p>

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14. When will I receive any additional money I am due in respect of my preferential claim?	<p>The timing of distribution payments from individual Thomas Cook companies will depend on a number of factors. These may include but are not limited to:</p> <ul style="list-style-type: none"><li>• whether or not there are ongoing asset realisations in respect of that company;</li><li>• whether the company is likely to receive money from another group company by way of an intercompany distribution (and therefore may have to wait until these funds have been received before it can pay its own creditors); and/or</li><li>• whether there are any claims that are being resolved or agreed via legal proceedings or other assessment methods, that may delay the declaration of a distribution (for example, ongoing Employment Tribunal claims).</li></ul> <p>Once a particular company is ready to make a preferential distribution, the Special Managers will write to all of its employees providing details of their claims, see questions 11 and 12 above.</p>
15. Will tax be deducted from any balance paid?	<p>Tax and National Insurance will be deducted from your distribution as applicable.</p> <p>Details of any deductions will be confirmed at the time of payment.</p>

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<p>16. Which Thomas Cook company will my claim be against?</p>	<p>Following their appointment, the Special Managers reviewed the various company records and compiled a master spreadsheet of each company and its employees according to the company records.</p> <p>This was discussed with the Thomas Cook HR team at the time to ensure the most current and up to date information was used.</p> <p>Where it is anticipated that the company you were employed by will be making a distribution, the Special Managers will write to you individually. This letter will include details of the company you were employed by (according to the company records), and a breakdown of your claim, including the amounts paid to you by the RPS and your residual outstanding claim.</p> <p>Please note that different companies are paying different levels of distribution (and some are not making a distribution at all), therefore any payment due to you will be impacted by who your employing entity was.</p>
<b>Unsecured Claims</b>	
<p>17. How do I know if my employer is making a distribution or not?</p>	<p>The Liquidator will issue updated reports detailing which Thomas Cook companies are likely to make preferential and/or unsecured distributions.</p> <p>Any reports issued by the Liquidator will be available for viewing on the Official Receiver's website and the Special Managers' portals (links provided at question 5).</p> <p>The distribution position in any document is based on current information as at the date of issue and may be subject to change.</p> <p>If the likelihood of a distribution for any of the Thomas Cook companies is updated, details of new distribution prospects will be amended so creditors, including employees, should continue to check the portals for any updates as they will not be notified separately.</p> <p>In addition, further information regarding the likely distribution prospects for each of the Thomas Cook companies is available on the Thomas Cook Claims Site at: <a href="http://www.thomascookukliquidations.com">www.thomascookukliquidations.com</a>.</p>

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<p>18. How do I make an unsecured claim?</p>	<p>Details of any unsecured claims previously submitted by employees to the RPS or directly to the Special Managers, do not need to be resubmitted.</p> <p>If you have any additional claims that have not previously been submitted, you will need to identify the type of claim you have.</p> <p>For standard employment claims:  (including arrears of pay, redundancy pay, pay in lieu of notice, employment tribunal awards and any expense claims):  These should be notified to the Special Managers' employee claims agents in the first instance (contact details are provided in section 6 above).</p> <p><b>Please note that any claims of this nature cannot be made on the Thomas Cook Claims Site.</b></p> <p>For non-standard employment claims:  (for example, personal injury or loss of licence claims)  For any claims that have not already been submitted to the Special Managers, you may submit a claim on the Thomas Cook Claims Site, together with any supporting documentation in respect of your claim.</p> <p>The Thomas Cook Claims Site is located <a href="#">here</a>.</p> <p>If a creditor is unable to submit their claim on the claims site, a completed proof of debt form may be submitted to:</p> <p><a href="mailto:TCUKemployees@alixpartners.com">TCUKemployees@alixpartners.com</a> or by post to AlixPartners, Ship Canal House, 8th Floor, 98 King Street, Manchester M2 4WU.</p> <p><a href="mailto:TCemployees@interpathadvisory.com">TCemployees@interpathadvisory.com</a> or by post to Interpath Advisory, 15 Canada Square, London E14 5GL.</p>
<p>19. Will tax be deducted from any distribution relating to my unsecured claim?</p>	<p>Where your unsecured claim related to your employment contract, tax and national insurance will be deducted as appropriate.</p> <p>Other parts of your unsecured claim (for example, a claim for expenses) will not be subject to any tax deductions.</p>

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20. When will I get paid in respect of my unsecured claim?	<p>The timing of any payments from individual Thomas Cook companies will depend on a number of factors. These may include but are not limited to:</p> <ul style="list-style-type: none"><li>• whether or not there are ongoing asset realisations in respect of that company;</li><li>• whether the company is likely to receive money from another group company by way of an intercompany distribution (and therefore may have to wait until these funds have been received before it can pay its own creditors); and/or</li><li>• whether there are any claims that are being resolved or agreed via legal proceedings or other assessment methods, that may delay the declaration of a distribution.</li></ul> <p>Once a particular company is ready to make an unsecured distribution, the Special Managers will write to all of its employees providing details of their claim.</p> <p>Further details on this will be provided in the Liquidator's report and the Thomas Cook Claims Site, see question 5.</p>
21. Will my unsecured claim be paid in full or will there only be a partial distribution payable (i.e. pence in the £)	<p>Where available, the unsecured distribution from any of the Thomas Cook companies will be a partial distribution i.e. this will be a distribution of "pence in the pound" to all proving and agreed creditors.</p> <p>The exact level of distribution will depend on the funds available for distribution in each individual Thomas Cook company and the level of valid claims received.</p> <p>Some companies will not be making any distributions at all to unsecured creditors.</p>
22. I have moved house since I originally submitted my claim. How can I update my address?	<p>Please send any changes of address to the Special Managers' employee claims agents in the first instance (contact details are provided in section 6 above) and include your name and payroll number.</p>

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<p><b>Listed below are some potential types of unsecured claims that employees may have.</b></p> <p><b>If you believe you have an unsecured claim that has not already been made to the Special Managers, the following may assist you in terms of the supplementary documentation you will be required to provide to support and verify any claim you make</b></p>	
<p>23. Pay in lieu of notice (<b>PILON</b>) and redundancy pay</p>	<p>Please note that any balance in relation to your claim for PILON and redundancy pay will be calculated based on the information provided by the RPS to the Special Managers.</p> <p>There is no further action required from employees in relation to these claims at this stage unless an employee believes that they may have enhanced contractual PILON and redundancy pay.</p>
<p>24. Employment Tribunal (<b>ET</b>)</p>	<p>If you have an ongoing Employment Tribunal claim (i.e. where the Tribunal has not yet provided a decision), this is considered to be a contingent claim that has not yet been assessed.</p> <p>You are not required to submit your claim directly to the Special Managers for separate assessment.</p> <p>Once the Employment Tribunal has made their decision, and the RPS has been notified and paid their element of the claim (up to statutory limits), they will contact the Special Managers directly to confirm any valid claims. In this instance, the Special Managers will record these claims as having been proven and no further action is needed by you.</p> <p>We currently anticipate that the ongoing Employment Tribunals are likely to run into 2022.</p> <p>If you have not lodged a claim with the Employment Tribunal and you are not a member of a trade union or if you are unsure as to whether you may be covered by any of the current judgments, you may wish to consider lodging a claim with the Employment Tribunal in order to protect your position. If you are legally represented, please contact your legal adviser for further information. If you are not legally represented, your local Citizens Advice Bureau or free legal advice clinic may be able to assist, should you require further information.</p>
<p>25. Unpaid expenses</p>	<p>If you have a claim for unpaid expenses that has not already been submitted, you will need to provide copy receipts or evidence of the expenditure, together with any relevant authorisation for the expenses being incurred. This information should be sent to the Special Managers' employee claims agents in the first instance. Contact details for Evolve IS and ERA Solutions are provided at section 6.</p>

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26. Unused gift card/voucher	<p>If you have a gift card that has an outstanding balance, this will rank as unsecured claim.</p> <p>If you have a plastic gift card, an e-gift card or a gift of travel, it is likely that any claim you have will be against TCCT Retail Limited, but please refer to the terms and conditions attached to your gift voucher/card which should provide details of the correct Thomas Cook company.</p> <p>If you have not already submitted a claim in respect of your card/voucher, you may add a new claim on the Claims Site. You will be required to provide supporting evidence in respect of your claim.</p> <p>The Thomas Cook Claims Site is located <a href="#">here</a>.</p>
27. Credit card charges for company credit card	<p>You will need to provide copies of the credit card statement and evidence of the payment of these charges being made by you.</p>
28. Unpaid pension contributions	<p>Certain employee contributions up to four months prior to the insolvency are treated as a preferential claim and the balance will form part of an employee's unsecured claim in the Liquidation.</p> <p>Please note that the Special Managers submitted information to the RPS in relation to unpaid pension contributions and these were successfully paid in full by the RPS to the Thomas Cook Defined Contribution Scheme and subsequently allocated to the individual members' savings in January 2020.</p> <p><b>Former employees who were members of the Thomas Cook Defined Contribution Scheme therefore do not have individual claims for unpaid pension contributions from the Liquidations.</b> This liability now forms part of the RPS' claim in the Liquidations.</p> <p>For further information regarding your pension savings (including if you are a member of one of Thomas Cook's Defined Benefit Pension Schemes), a microsite has been set up by the various Thomas Cook Pension Trustees to assist scheme members.</p> <p>To read and find out more please access the following link: <a href="https://microsite.ehr.com/thomascookpensions">https://microsite.ehr.com/thomascookpensions</a></p>

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29. Loss of licence	<p>If you have a valid claim for loss of licence and insurance coverage is not available under the policies in place prior to the Liquidation, you may be entitled to lodge an unsecured claim.</p> <p>Evidence will be required in support of any claim and the former employees affected have been provided with details of the information required.</p> <p>The Thomas Cook Claims Site is located <a href="#">here</a>.</p> <p>If you have not already submitted a claim, you may add a new claim here. You will be required to provide supporting evidence in respect of your claim.</p>
30. Accommodation bond	<p>If a bond was deducted from your salary in respect of former in-destination accommodation, please note the following:</p> <ul style="list-style-type: none"><li>• If you were made redundant on 23 September 2019, the accommodation bond should have been reclaimed from the RPS as arrears of wages. If you believe this is still outstanding, please contact the RPS (contact details are provided in question 9).</li><li>• If you were made redundant post 23 September 2019, the accommodation bond should have been repaid to you as part of your final salary and would have been reflected in your final pay slip. If this is the case, you have no further claim in respect of your bond.</li></ul>