



EMPLOYMENT TRIBUNALS BETWEEN

Claimant

Miss J Hegarty

AND**Respondent**Ladbrokes Betting &
Gaming Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Cardiff **ON** 1 May 2019

EMPLOYMENT JUDGE NW Beard

JUDGMENT

In the absence of an ET3 response form from the respondent, and there being sufficient material before me to enable a proper determination to be made, I uphold the claimant's claim of unfair dismissal.

The respondent is ordered to pay to the claimant compensation on the above claim as calculated below.

Basic Award	
£129.75 x 10 weeks	£1297.50
Compensatory Award	
Notice Pay £129.75 x 10 weeks	£1297.50gross
Loss of Statutory Rights	£ 450.00
Loss of earnings	
£129.75 x 37 weeks	£4800.75
Future Loss	
26 weeks @ £129.75 per week	£3373.50
Total Award	£11,219.25

The claimant is responsible for any income tax or employee national insurance contributions that may be due on the sums awarded in respect of unpaid wages and unpaid holiday pay.

The recoupment provisions apply to this judgment.

I act in accordance with my powers under Rule 21 of the Employment Tribunal's Rules of Procedure 2013.

Employment Judge Beard
1 May 2019

Judgment sent to Parties on
5 May 2019

Claimant

Respondent

Miss J Hegarty

v

Ladbrokes Betting &
Gaming Limited

ANNEX TO THE JUDGMENT OF THE TRIBUNAL

Statement Relating to the Recoupment of Jobseekers Allowance, etc

1. The following particulars are given pursuant to the Employment Protection (Recoupment Benefits) Regulations 1996.

- (a) Monetary award: £11,219.25
- (b) Prescribed element: £4,800.75
- (c) Period to which (b) relates: 16 August 2018 to 1 May 2019
- (d) Excess of (a) over (b). £6,418.50

2. The Claimant(s) may not be entitled to the whole monetary award. Only (d) is payable forthwith; (b) is the amount awarded for loss of earnings during the period under (c) without any allowance for benefits received by the Claimant in respect of that period; (b) is not payable until the Department for Work and Pensions has served a notice (called a recoupment notice) on the respondent(s) to pay the whole or a part of (b) to the Department (which it may do in order to obtain repayment of benefits paid to the Claimant(s) in respect of that period) or informs the respondent(s) in writing that no such notice will be served. The sum named in the recoupment notice, which will not exceed (b), will be payable to the Department. The balance of (b), or the whole of it if notice is given that no recoupment notice will be served, is then payable to the Claimant(s).

3. The Recoupment Notice must be served within the period of 21 days after the conclusion of the hearing or 9 days after the decision is sent to the parties, (whichever is the later), or as soon as practicable thereafter, when the decision is given orally at the hearing. When the decision is reserved the notice must be sent within a period of 21 days after the date on which the decision is sent to the parties, or as soon as practicable thereafter.

4. The Claimant(s) will receive a copy of the recoupment notice and should inform the Department for Work and Pensions in writing within 21 days if the amount claimed is disputed. The tribunal cannot decide that question and the respondent(s), after paying the amount under (d) and the balance (if any) under (b), will have no further liability to the Claimant(s), but the sum claimed in a recoupment notice is due from the respondent(s) as

a debt to the Department whatever may have been paid to the Claimant(s) and regardless of any dispute between the Claimant(s) and the Department.