



EMPLOYMENT TRIBUNALS

Claimant: Mrs H Ryall

Respondent: Rogerstone and Bassaleg Social Club Ltd

Heard at: Cardiff **On:** 3 June 2019

Before: Employment Judge S Davies (sitting alone)

Representation

Claimant: in person

Respondent: Mr T Molloy, Treasurer of the Respondent

JUDGMENT

1. It is the decision of the Employment Judge sitting alone that the Claimant's claims are upheld in the following sums:

a. Basic award	£1,578.53
b. Wrongful dismissal	£1,368.06
c. Compensation award	£3,590.46
d. Total	£6,537.05

2. The calculation of compensation for wrongful dismissal has been amended from the figure given at the hearing, under Rule 69 (the 'slip' rule which covers accidental errors). The Employment Judge accidentally added the payment in lieu of notice of £175.39 received by the Claimant, instead of subtracting it. The figure given in the oral

judgment for wrongful dismissal was incorrect.

3. The sums are calculated based on the following:

- a. Date of birth of claimant 10/10/1968
- b. Date started employment 15/07/2006
- c. Effective date of termination 18/07/2018
- d. Period of continuous service (years) 12
- e. Age at termination 49
- f. Future loss of earnings awarded to 03/09/2019
- g. Contractual notice period (weeks) 12
- h. Agreed accrued but untaken holiday 2 days
- i. Net/gross weekly pay at termination 109.62
- j. Gross annual pay at termination 5,700.24

4. Basic award

Number of qualifying weeks (16) x Gross weekly pay (109.62) 1,753.92
Less contributory fault (basic award) @ 10% -175.39
Total basic award 1,578.53

5. Damages for wrongful dismissal

Notice period (12) x Net weekly pay (109.62) 1,315.44
Less Payment in lieu paid by employer -175.39
Plus failure by employer to follow ACAS Code @ 20% 228.01
Total damages 1,368.06

6. Compensatory award (loss to date of remedy hearing)

Number of weeks (33.7) x Net weekly pay (109.62) 3,694.19
Plus loss of statutory rights 219.24
Less adjustment for change in working hours -1,501.79
Total compensation 2,411.64

7. Compensatory award (future loss to 3 September 2019)

Loss of future earnings
Number of weeks (13.1) x Net Weekly pay (109.62) 1,436.02
Less adjustment for change in working hours -563.76
Total compensation (future loss) 872.26

8. Holiday pay

2 days accrued but untaken holiday

Total 43.85

9. Adjustments to total compensatory award

Plus failure by employer to follow ACAS Code @ 20% 656.78

Less contributory fault (compensation award) @ 10% -394.07

Compensatory award before adjustments 3,327.75

Total adjustments to the compensatory award 262.71

Compensatory award after adjustments 3,590.46

Employment Judge S Davies

Date 3 June 2019

JUDGMENT SENT TO THE PARTIES ON

.....5 June 2019.....

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FOR THE TRIBUNAL OFFICE

NOTE: Reasons were given orally at the hearing. In accordance with Rule 62 (3) of the Employment Tribunal Rules of Procedure 2013, no written reasons will be provided unless requested by a party at the hearing or in writing within 14 days of sending the written record of the decision.