



EMPLOYMENT TRIBUNALS

Claimant: Miss J Hawkins

Respondent: Mr John Lingard

AT A HEARING

Heard at: Leeds **On:** 23rd August 2019

Before: Employment Judge Lancaster

Representation

Claimant: In person

Respondent: Response struck out and no attendance at the hearing

JUDGMENT

1. The correct Respondent to this claim is Mr John Lingard
2. The Claimant was unfairly dismissed.
3. The Respondent is ordered to pay to the Claimant compensation as follows:
 - 3.1 Basic award (calculated on 8 years' continuous employment for 4 of which the Claimant was not below the age of 41, 10 weeks' pay @£349.50 per week)

£3495.00
 - 3.2 Compensation from 22nd October 2018 to the date of hearing (44 weeks @ 284.20 per week net, less sums earned in alternative employment £8410.40)

£4094.40
 - 3.3 Future loss of earnings (4 weeks at a predicted shortfall of £70 net per week)

£280.00
 - 3.4 Loss of statutory rights

£450.00

4. The award shall be increased by £1398.00 (4 weeks' pay) under section 38 of the Employment Act 2002 by reason of the failure to give to the Claimant a written statement of the terms and conditions of employment.
5. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply as follows:

The monetary award	£9717.40
The amount of the prescribed element	£852.60
The prescribed period 22 nd October to 11 th November 2018	
The amount by which the monetary award exceeds the prescribed element	£8864.80
6. The Respondent has made unauthorised deductions from the Claimant's wages and is ordered to pay to the Claimant the following sums:
 - 6.1 4 weeks gross wages during the notice period less statutory sick pay received (pursuant to sections 86, 87 and 88 of the Employment Rights Act 1996) £1029.80
 - 6.2 Sums deducted in connection with the Claimant's tenancy £330.00
7. The total sum payable to the Claimant, subject to the Recoupment Regulations, is therefore £11,077.20.

EMPLOYMENT JUDGE LANCASTER

DATE 23rd August 2019

JUDGMENT SENT TO THE PARTIES ON

AND ENTERED IN THE REGISTER

FOR SECRETARY OF THE TRIBUNALS

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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