



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Ablett  
**Respondent:** Norwegian Air Resources UK Limited

**Heard at:** London South via CVP **On:** 26 August 2021

**Before:** EMPLOYMENT JUDGE BECKETT  
Sitting Alone

## Representation

**Claimant:** In Person  
**Respondent:** Not present

# REMEDY JUDGMENT

Upon the Tribunal previously having entered judgment that the Claimant has been unfairly dismissed

It is the judgment of the Tribunal that:

1. The Respondent shall pay to the Claimant the total sum of £35,170.25 comprising a Basic Award of £2,720 and a Compensatory Award of £32,450.25.
2. The Compensatory Award consists of a sum for loss of earnings of £13,024; loss of statutory rights of £1,544; loss of employment benefits of £6,366; loss of pension of £830; expenses of £1,400 (training and renewal of CAA class 1 medical) and an uplift to the Compensatory Award of 25% for the Respondent's failure to comply with ACAS Code on Disciplinary and Grievance Procedures.
3. Recoupment may apply to this award. For the purposes of regulation 4 of the Employment Protection (Recoupment of Benefits) Regulations 1996 (SI 1996/2349):

The Prescribed Element is: £13,024;

The Prescribed Period is: 30 October 2020 to 02 April 2021;

The total monetary award is: £35,170.25;

The excess of the total monetary award over the Prescribed Element is: £22,146.25.

**Employment Judge Beckett**

London South

Dated: 26 August 2021

Notes:

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

Public access to Employment Tribunal Judgments

All judgments and written reasons for the judgments are published online shortly after a copy has been sent to the Claimant(s) and Respondent(s) in a case. They can be found at: [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions).

ANNEX TO THE JUDGMENT

(MONETARY AWARDS)

Recoupment of Benefits

The following particulars are given pursuant to the Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996 No 2349.

The Tribunal has awarded compensation to the claimant, but not all of it should be paid immediately. This is because the Secretary of State has the right to recover (recoup) any jobseeker's allowance, income-related employment and support allowance, universal credit or income support paid to the claimant after dismissal. This will be done by way of a Recoupment Notice, which will be sent to the respondent usually within 21 days after the Tribunal's judgment was sent to the parties.

The Tribunal's judgment states: (a) the total monetary award made to the claimant; (b) an amount called the prescribed element, if any; (c) the dates of the period to which the prescribed element is attributable; and (d) the amount, if any, by which the monetary award exceeds the prescribed element. Only the prescribed element is affected by the Recoupment Notice and that part of the Tribunal's award should not be paid until the Recoupment Notice has been received.

**The difference between the monetary award and the prescribed element is payable by the respondent to the claimant immediately.**

When the Secretary of State sends the Recoupment Notice, the respondent must pay the amount specified in the Recoupment Notice to the Secretary of State. This amount can never be more than the prescribed element of any monetary award. If the amount is less than the prescribed element, the respondent must pay the balance to the claimant. If the Secretary of State informs the respondent that it is not intended to issue a Recoupment Notice, the respondent must immediately pay the whole of the prescribed element to the claimant.

The claimant will receive a copy of the Recoupment Notice from the Secretary of State. If the

claimant disputes the amount in the Recoupment Notice, the claimant must inform the Secretary of State in writing within 21 days. The Tribunal has no power to resolve such disputes, which must be resolved directly between the claimant and the Secretary of State.