# EMPLOYMENT TRIBUNALS

**Claimant:**     **Mrs D Bogdanowicz**
**Respondent:**     **Next Distribution Limited**

# AT A REMEDY HEARING

**Heard at:**     **Leeds and by CVP video link**   **On: 19th April 2023**
**Before:**     **Employment Judge Lancaster**
**Members:**     **Ms M Cairns**
                  **Mr G Corbett**

**Representation**
Claimant:     Mr Jason Searle, counsel
Respondent:     Mr Wie-Men Ho, solicitor

# JUDGMENT

1. The Respondent is ordered to pay the Claimant compensation for injury to feeling on the complaint of a failure to make reasonable adjustments in the sum of £14,000.00

2. That award also caries interest at the rate of 8 per cent per annum (£1,120.00) for the period from 3rd November 2020 to date, 2 years and 167 days, in the further sum of £2,752.44

3. The Respondent is ordered to pay the Claimant a compensatory award for unfair dismissal in the sum of £5,194.19, calculated at follows:

| | |
|---|---|
| 26 weeks loss of net earnings @ £305.18 per week | £7934.68 |
| Less Employment Support Allowance (ESA) received | - £2002.00 |
| | £5932.68 |
| Loss of statutory rights | £500.00 |
| Loss of employer's pension contribution @£82.15 per month | £492.90 |
| | £6925.58 |
| Less 25 percent Polkey reduction | -£1731.39 |
| | £5194.19 |

4. The Tribunal is satisfied that because the ESA is  not income-related the requirements of paragraph 4 of the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

5. The total amount of compensation awarded is therefore £21,964.63

*Philip Lancaster*

Employment Judge Lancaster

DATE  19th April 2023

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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