



EMPLOYMENT TRIBUNALS

Claimant: Mrs F Gilbert

Respondent: The Opportunity Group Limited (in liquidation)

HELD at Newcastle CFCTC by CVP

ON: 7 November 2023

BEFORE: Employment Judge Johnson

REPRESENTATION:

Claimant: Mr A Bogg of Counsel

Respondent: No attendance – no appearance (response not received)

JUDGMENT

1. The claimant's complaint that the respondent failed to comply with a requirement of section 188 or section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded.
2. The respondent is ordered to pay remuneration calculated in accordance with section 190 of the Trade Unions and Labour Relations (Consolidation) Act 1992 to the claimant personally for the protected period.
3. The protected period is from 26 January 2023 to 25 April 2023.
4. The Employment Protection (Recoupment of Job Seekers Allowance and Income Support) Regulations 1996 apply. Regulation 6 imposes on the respondent a duty to provide information to the Secretary of State. Regulation 7 postpones this award in order to enable the Secretary of State to serve a recoupment notice under Regulation 8. The full effect of Regulation 6, 7 and 8 is set out in the Annexe to this Judgment.

Note - 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.

Employment Judge Johnson

Date: 9 November 2023