



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms G D'Adamo

**Respondent:** The Angel of Corbridge Ltd t/a The Angel Inn

**Heard at:** Newcastle CFCTC **On:** 22 March 2024

**Before:** Employment Judge Newburn

## Representation

Claimant: In person

Respondent: Mr Ali (Counsel)

# JUDGMENT ON REMEDY

1. The Respondent is ordered to pay the Claimant the total sum of **£12,799.12** as compensation for unfair dismissal.
2. This award comprises:

## The Prescribed element:

- 2.1. 52 weeks net wages from 11 November 2020 to 10 November 202 in the agreed sum of £22,362.08;
- 2.2. pension contribution in the agreed sum of £846.19;
- 2.3. Loss of tips in the agreed sum of £1,887.81;
- 2.4. Less agreed earnings from alternative employment in the agreed sum of £8,822.62;
- 2.5. Polkey reduction of 30%;
- 2.6. Total Prescribed amount **£11,391.42**

## The non-prescribed element:

- 2.7. Claimant's loss of statutory rights in agreed sum of £500
- 2.8. Polkey reduction of 30% - amounts to a sum of **£350**
- 2.9. The Claimant is awarded **£ 1,057.70** this being 2 weeks gross pay pursuant to section 38 of the Employment Act 2002.

- 2.10. Total non prescribed amount **£1,407.70.**
3. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply:
- a. The total monetary award (i.e. the compensatory award plus basic award) payable to the claimant for unfair dismissal is £12799.12
  - b. The prescribed element is £11,391.42
  - c. The period of the prescribed element is from 11 November 2020 to 12 November 2021.
  - d. The difference between (a) and (b) is £1407.70

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Employment Judge **Newburn**

Date 15 April 2024

**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.

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**Recording and Transcription**

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