

THE INDUSTRIAL TRIBUNALS

CASE REF: 8509/17

CLAIMANT: Julie Goodship

RESPONDENT: Deborah Patterson

DECISION

The claimant's unfair dismissal claim is well-founded. It is ordered that the respondent shall pay the sum of £7,658 to the claimant in respect of that unfair dismissal.

Constitution of Tribunal:

Employment Judge: Employment Judge Buggy

Members: Ms C Stewart
Ms V J Foster

Appearances:

The claimant was represented by Ms J Downing, Solicitor.

The respondent was not present or represented.

REASONS

1. This was an unfair dismissal, because there was no pre-dismissal consultation, either directly or indirectly, with the claimant.
2. I have previously awarded a redundancy payment to the claimant in respect of this dismissal. (See my decision of 14 May 2018). Accordingly, because of the provisions of Article 156(4) of the Employment Rights (Northern Ireland) Order 1996 ("ERO"), the claimant is not entitled to any basic award in respect of her dismissal.
3. She is of course still entitled to a compensatory award.
4. On the basis of the medical evidence which was provided to us in this case, we are

satisfied that the claimant became unfit for work, on health grounds, because of the dismissal

5. In respect of the period ending on the date of the dismissal hearing, we have calculated the claimant's net loss, arising from the dismissal, to be £2,628.
6. We award £350 to the claimant in respect of loss of statutory rights.
7. We awarded the claimant £4,680 in respect of "future" loss. ("Future" loss was calculated on the basis that the claimant would suffer a net loss of £180 per week for 26 weeks, beginning on the date of the hearing).
8. The Recoupment Regulations apply. Attention is drawn to the notice below which forms part of the decision of the tribunal.
 - (1) The amount of the monetary award is £7,658.
 - (2) The prescribed element is £4,428.
 - (3) The prescribed period is the period from 26 October 2017 until 6 August 2018.
 - (4) The amount by which the unfair dismissal compensatory award exceeds the prescribed element is £3,230.
9. This is a relevant decision for the purposes of the Industrial Tribunals (Interest) Order (Northern Ireland) 1990.

Employment Judge:

Date and place of hearing: 15 May 2018, Belfast.

Date decision recorded in register and issued to parties: