



EMPLOYMENT TRIBUNALS

Claimant: Mrs Paula Shortridge

Respondent: Mrs Sally Davies

JUDGMENT

Pursuant to Rules 70 – 72 of the Employment Tribunal Rules of Procedure 2013, Employment Judge Gaskell has considered the respondent's application dated 18 May 2017 for a Reconsideration of the Judgment sent to the parties on 9 May 2017.

Pursuant to Rule 72(1), the application is refused. There is no reasonable prospect of the original decision being varied or revoked.

REASONS

1 in the claim form, the claimant clearly identified the respondent, her employer, as Mrs Sally Davies.

2 In the response to the claim, the respondent stated that she was not the claimant's employer. The response was accompanied by a letter from DH Timms Limited - Accountants asserting that the claimant's employer was Edgebarn Limited.

3 On 21 February 2017, on the direction of Employment Judge Woffenden, the claimant was invited to comment on the correct identity of her employer.

4 By letters dated 20 February 2017 and 5 March 2017, the claimant re-stated her case: that she was employed by the respondent. This correspondence was copied to the respondent; and Employment Judge Dimbylow directed that the issue of who the correct employer was would be determined at the hearing on 19 April 2017.

5 The hearing went ahead at Stoke-on-Trent on 19 April 2017: the claimant appeared in person and gave evidence. The respondent did not appear; the respondent has never provided any explanation for her non-appearance. Employment Judge Gaskell decided the case on the basis of the evidence available to him. The claimant's evidence was to the effect that she had never been employed by Edgebarn Limited; and indeed, had never heard of that company. It was also expressly pleaded case, confirmed in evidence, that she had never received a pay-slip; a P60; or a contract of employment stating the name of her employer. She only ever dealt with the respondent.

6 Based on this evidence, the judgement of the tribunal is correct. The respondent has never explained her failure to attend the hearing or to adduce any evidence before the tribunal. The respondent has made no application to adduce fresh evidence; nor has she provided any explanation for any failure to present such evidence at the appropriate time.

Employment Judge Gaskell
21 June 2017

JUDGMENT SENT TO THE PARTIES ON

.....21/06/17.....
FOR THE TRIBUNAL OFFICE