



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss J Ayngge

**Respondent:** Mr Keith Tricket t/a Sully Club and Restaurant

## JUDGMENT

The claimant's application made by email dated 1 February 2019 for reconsideration of the judgment sent to the parties on **22 January 2019** is refused.

## REASONS

1. The Claimant has set out in detail in her email dated 1 February 2019 why she asserts that the Tribunal's judgment should be reconsidered. That email expressly states that it expands on matters set out in the Claimant's earlier email to the Tribunal dated 18 January 2019 which the Claimant intended to be her application for reconsideration. The Tribunal is satisfied that the Claimant has had a reasonable opportunity to make written representations in relation to her reconsideration application.
2. The Respondent has also provided written representations in response to the application. Those representations are set out in an email dated 7 February 2019.
3. Having considered all of the representations received, the Tribunal considers that it is not necessary in the interests of justice for the application to be considered at a hearing.
4. The Tribunal is satisfied that there is no reasonable prospect of the original decision being varied or revoked, because:
  - 4.1 The Claimant's claim was considered in full during the two-day hearing on 21 and 22 November 2018;
  - 4.2 The Claimant was represented throughout the two-day hearing by counsel. Counsel for the Claimant was provided with the opportunity to cross-examine the Respondent and the Respondent's witnesses and did so fully. Counsel also made detailed submissions on behalf of the Claimant;
  - 4.3 The Tribunal made findings of fact based on all of the evidence presented to the Tribunal during the two-day hearing, including the witness evidence

adduced by the Claimant and the Respondent and all of the documentary evidence adduced by both parties;

- 4.4 No requests were made to adjourn the hearing in order to allow the Claimant further time to adduce other evidence;
  - 4.5 Having made findings of fact, the Tribunal rejected all of the Claimant's complaints;
  - 4.6 Detailed reasons for the Tribunal's decision were provided orally at the hearing and then written reasons were subsequently provided following a request for the same from the Claimant;
  - 4.7 It is not appropriate to reconsider a judgment in order to allow the Claimant to reopen the case which was determined by the judgment of the Tribunal;
  - 4.8 There is a need for finality in litigation.
5. The Tribunal does not consider that it is necessary in the interests of justice to reconsider the judgment.

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Employment Judge Vernon

Date 12 February 2019

JUDGMENT SENT TO THE PARTIES ON

.....13 February 2019.....

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FOR THE TRIBUNAL OFFICE