



EMPLOYMENT TRIBUNALS

Claimant: Mr R Pinnington

Respondents: Mr Chris Hughes (First Respondent)
Driver Hire Solutions Limited (Second Respondent)

JUDGMENT

The Respondents' application dated 5 March 2018 for reconsideration of the judgment sent to the parties on 20 February 2018 is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked, because:
2. Following an initial telephone call to Tribunal staff by Mr Steve Bromley, (business partner of the First Respondent), the First Respondent notified the Tribunal of his non attendance at the hearing listed on 16 February 2018, by email on 15 February 2018 sent at 16:28;
3. This email did not specify whether the Second Respondent would be represented at the hearing and did not comply with Presidential Guidance for requesting a postponement, as no medical evidence or prognosis was supplied;
4. I instructed Tribunal staff to respond sending a link to the Presidential Guidance and asking for urgent confirmation as to whether someone else would attend on behalf of the Respondents. This email was sent on 15 February 2018 at 17:39 to the First Respondent, the 'admin' email contact for the Second Respondent and Mr Steve Bromley;
5. Prior to the hearing starting on 16 February 2018, I checked with Tribunal staff and no response had been received from the

Respondents. The hearing proceeded, commencing just after 10am, under Rule 47 in the Respondents' absence;

6. The First Respondent replied to the Tribunal by email at 11:10am on 16 February 2018, after the hearing had finished. No explanation was provided in that email as to why Mr Bromley or another representative of the Second Respondent had not replied prior to the hearing starting (either outside of or during business hours);
7. I note the First Respondent's ill health but consider that the Respondents had opportunity to respond to the enquiry about attendance within working hours. In the absence of a response the hearing went ahead in accordance with the Employment Tribunal Rules of Procedure 2013.

Employment Judge S Davies

Date: 27 March 2018

JUDGMENT SENT TO THE PARTIES ON

.....04 April 2018.....

.....
FOR THE TRIBUNAL OFFICE