



# EMPLOYMENT TRIBUNALS

**Claimants:** Unite the Union

**Respondents:** Carillion Services Limited (in compulsory liquidation)

**HELD AT:** Manchester

**ON:** 25-26 February 2019

**BEFORE:** Regional Employment Judge Parkin

## REPRESENTATION:

**Claimant:** Ms M Tether, Counsel

**Respondents:** Mr D Reade QC, with Mr D Northall, Counsel

## JUDGMENT ON RECONSIDERATION

1. Upon reconsideration, the Judgment sent out to the parties on 13 December 2018 is revoked and the claim is reinstated.
2. Carillion Services Ltd (now in compulsory liquidation) is substituted for Carillion (AMBS) Ltd as respondent in these proceedings. Subject to the lifting of the stay on proceedings resulting from the compulsory liquidation, the claim will proceed.

## REASONS

1. By a mistake or misunderstanding, these proceedings brought by the trade union Unite were dismissed upon withdrawal following the claimant's representative's letter dated 30 November 2018. The intention had been that the proceedings continue but that Carillion Services Ltd be substituted for Carillion (AMBS) as the respondent.
2. The respondent did not resist Unite's application to revoke the dismissal judgment, reinstate the proceedings and substitute the correct employer.

3. Having regard to its powers under Rules 5 and 70-73 of the Employment Tribunals Rules of Procedure 2013 and in accordance with the overriding objective at Rule 2, the Tribunal granted the application.

Regional Employment Judge Parkin

Date 29 March 2019

JUDGMENT AND REASONS  
SENT TO THE PARTIES ON

01 April 2019

FOR THE TRIBUNAL OFFICE