



EMPLOYMENT TRIBUNALS

Claimant

Miss A Drew

v

Respondent

**Mr D West t/a Blue Moon
Recruitment**

Before: Employment Judge Knowles

On: 8 February 2019

JUDGMENT

The Judgment of the Employment Tribunal is that the Respondent's appeal against the penalty notice dated 28 November 2018 is not well founded and is dismissed.

REASONS

1. The Respondent has entered an appeal to the Employment Tribunal against a penalty notice which was issued against him 8 November 2018 by the Department of Business, Energy and Industry.
2. The Respondent's appeal was entered by email to the Employment Tribunal office dated 4 January 2019.
3. The Respondent's appeal has not been brought within the 28 day time limit for bringing such an appeal. In the absence of an explanation of why the Respondent did not comply with the time limit or any application for an extension of time, the appeal should be refused on this ground alone.
4. Furthermore, the Respondent cites that the reason he has not paid the Claimant is that he had made an offer which he terms a payment schedule to the Claimant but she has refused. The Respondent has not raised any ground of appeal falling within the provisions of 37G of the Employment Tribunals Act 1996. The Respondent's appeal would fall for refusal on this ground alone, in addition to being brought out of time.

5. In all the circumstances in my conclusion the Respondent's appeal is not well founded and is dismissed.

Employment Judge Knowles

8th February 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.