



THE EMPLOYMENT TRIBUNAL

Claimant **Ms A G Maycock-Frame**
Respondent **Scent & Colour Limited**

JUDGMENT

The respondent's application dated 17 June 2019, for reconsideration of the judgment of 24 May 2019, sent to the parties on 3 June 2019, is refused.

REASONS

1. The tribunal has noted the contents of the respondent's emailed application of 17 June 2018, which raises issues under two headings: (1) "There is no evidence to support the decision" and (2) "The written judgment is not right".
2. Detailed oral reasons for the judgment were given to the parties at the hearing, after the tribunal had heard sworn oral evidence from the claimant and from two witnesses on behalf of the respondent, and had received documents from both parties. The judge orally explained his findings of fact and how the law was applied to those facts. In respect of the matters raised under the first heading, quite plainly the judgment was based on the evidence before the tribunal, and the respondent's arguments in the application fail to raise any matters capable of succeeding. Furthermore, the matters raised by the respondent in the reconsideration application also fail to engage with the basis of the tribunal's judgment in respect of the breach of contract claim. The fact that English may not be the first language of the respondent's main witness has no relevance to the tribunal's conclusions. Nothing has been raised which is capable of changing the tribunal's conclusions.
3. In respect of the second matter raised, the respondent complains (in essence) that it does not have the claimant's bank details and could not pay her and that therefore there was no deduction of wages, and it could not compensate the claimant. This matter is in any event disputed by the claimant, but there was no need for the tribunal to determine the point at the hearing, as there is no legal requirement that wages must be paid by bank transfer, rather than by other means. In any event, the respondent disputed the amount of wages claimed by the claimant in her claim. Enforcement of judgments is not a matter within the tribunal's jurisdiction. Nothing has been raised which is capable of changing the tribunal's conclusions.

4. To the extent that the reconsideration application seeks to repeat arguments which were made at the hearing, those arguments were considered at the time, and rejected. To the extent that they raise new points, those are matters which should have been raised at the hearing. They are not, in any event, arguments with any merit.
5. The matters set out in the reconsideration application do not disclose any arguable basis to conclude, under rule 72(1), that there is a reasonable prospect of the original decision being varied or revoked.

Employment Judge Emerton
Date 23 June 2019