



# EMPLOYMENT TRIBUNALS

**BETWEEN**

**Ms S Haywoode**

**Claimant**

and

**Oasis Children's Venture**

**Respondent**

## JUDGMENT

The respondent's application for a reconsideration of the Judgment sent to the parties on 17 May 2019 is refused.

## REASONS

1. There is no reasonable prospect of the original decision being varied or revoked.
2. Mr Sawdon was present at the preliminary hearing and had the opportunity to make all the representations that he wanted both on the facts and the law. I understand that he is a lay representative and the law in this area is not straightforward. Understandably not all of what he has set out in his application for a reconsideration was put to me at the hearing but he certainly had the opportunity to do so.
3. In any event, the matters that he has now raised in his application are all ones where relevant that I considered in making my decision. Oral reasons were given to the parties and no request for written has been made (and any such request would now be out of time). To aid the respondent, however, in very brief summary I found – in respect of continuity of periods of employment – that the claimant had no global contract of employment encompassing all her various engagements with the respondent but in respect of her separate periods of employment at the Camel Club the periods in between those periods were temporary cessations of work as provided for in section 212(3) of the Employment Rights Act 1996 which gave her the necessary continuity of employment to bring an unfair dismissal claim. In making that decision, which is primarily a determination of fact to be made by the Tribunal, I reminded myself of the applicable legal principles from both statute and case law and made my

decision.

4. I would also note that in his application Mr Sawdon (at paragraph 39) states that it is the respondent's understanding that the claimant is claiming automatically unfair dismissal. That is not correct. It is a claim of unfair dismissal on ordinary principles under section 98 of the 1996 Act.

.....  
Employment Judge Andrews  
7 June 2019