



# EMPLOYMENT TRIBUNALS

**Claimant** Mr K Tate  
**Respondent:** JS Fountaine and Son (a partnership)

## JUDGMENT

The Respondent’s application dated 24 April 2019 for reconsideration of the judgment sent to the parties on 10 May 2019 is refused.

## REASONS

There is no reasonable prospect of the original decision being varied or revoked, because;

1. The claim was properly served at the Respondent’s address. The Respondents having been represented in advance of the proceedings being issued.
2. The Respondent’s legal representatives acknowledged the failure to submit the Response was entirely their error, by diarising the incorrect date for submission of the Response.
3. Had a Claimant lodged a claim form one day out of time who had the benefit of being represented throughout, it is true would unlikely be granted an extension on the grounds not reasonably practicable or just and equitable it seems. That ratio should equally be applied to the Respondents.

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Employment Judge Postle  
7 August 2019  
Date: .....

JUDGMENT SENT TO THE PARTIES ON  
7 August 2019  
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FOR THE TRIBUNAL OFFICE