



EMPLOYMENT TRIBUNALS

Claimant: Mr C Duchesne

Respondents: 1) Castlelanecomputers Limited
2) Dorset Electronics Limited

Upon application made by the claimant by email dated 3 December 2019 to reconsider the judgment dated 6 November 2019 under rule 71 of the Employment Tribunal Rules of Procedure 2013, and without a hearing.

JUDGMENT

The judgment dated 6 November 2019 is varied as follows:

- i. The claimant was dismissed by the first respondent on grounds of redundancy
- ii. The claimant is owed an outstanding redundancy payment
- iii. The claimant is not owed a basic award
- iv. The first respondent is ordered to pay the claimant an outstanding redundancy payment in the sum of **£1089.38**

REASONS

1. The claimant applied, by way of a reconsideration request, to vary the judgment sent to the parties on 6 November 2019. The original judgment provided that the claimant was unfairly dismissed and that he was to be awarded a basic award of £1089.38. The application to reconsider seeks a variation of that judgment to include an outstanding redundancy payment in place of the basic award.
2. In support of the application, the claimant points out that, prior to the judgments being issued, an email was sent on 5 November 2019 seeking a redundancy payment in place of a basic award.
3. The application was made late because, in the absence of the claimant's case worker at the Citizens Advice Bureau, there was no one else to consider the matter within the 14 day period.

4. The tribunal emailed the parties on 7 January 2020 saying that, subject to the views of the first respondent, Regional Employment Judge Pirani considers that the application has merit and it is in the interests of justice to make the variation as requested. If the respondent opposed the said application, they were to write to the tribunal within seven days of the date of the email. No comments were received.
5. Rule 70 of the Tribunal Rules 2013 provides an employment tribunal with a general power to reconsider any judgment where it is necessary in the interests of justice to do so. Interests of justice as a ground for reconsideration relate to the interests of justice to both sides.
6. The claimant has also provided a statement saying that the first respondent stopped trading and made him redundant without paying him a redundancy payment.
7. Accordingly, it is in the interests of justice both to extend time for the purposes of the reconsideration application and also to vary the judgment such that the claimant is owed an outstanding redundancy payment in place of the basic award.

Regional Employment Judge Pirani

Dated: 23 January 2020

Judgment sent to parties: 27 January 2020

FOR THE TRIBUNAL OFFICE