



EMPLOYMENT TRIBUNALS

Claimants: 1. Mr P Dickinson
2. Mr E Carr

Respondent: M V Flooring Limited

Heard at: Liverpool **On:** 3 January 2020

Before: Employment Judge Robinson
(sitting alone)

REPRESENTATION:

1st Claimant: Mrs D Dickinson (Wife)
2nd Claimant: Not in attendance
Respondent: Miss A Nelson, Managing Director

JUDGMENT

The judgment of the Tribunal is that on an application for reconsideration the original Judgment dated 28 August 2019 is confirmed.

REASONS

1. The reason for the confirmation is that Ms Nelson accepted that she had received the letter dated 30 May 2019 from the Tribunal, that she had seen the date of 28 August 2019 contained therein but had not diarised it, and that when she received a further letter after she had served the company's ET3 dated 20 June 2019 from the Employment Tribunal she did not understand that the hearing date still stood.

2. The second paragraph of the June letter reads:

“If you have not already been informed of the hearing date I will be writing to you shortly.”

3. In those circumstances it is not appropriate to alter the Judgment.

4. It is in the interests of justice to confirm the original Judgment.

5. As I understand it, the respondent has paid the claimant the monies due, in any event, and if there had been a contested hearing there would have been a dispute, not whether monies were owed, but simply how much was owed to each claimant.
6. In those circumstances Mr Dickinson and Mr Carr should not have to return to the Tribunal to argue their case as to what money is owed.
7. I have applied the principles in rules 70, 71 and 72 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 in coming to my judgment.

Employment Judge Robinson

Date: 3 January 2020

JUDGMENT AND REASONS SENT TO THE PARTIES ON
24 January 2020

FOR THE TRIBUNAL OFFICE

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