



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Gillott

**Respondent:** Sheffield Hallam University

UPON APPLICATION made by letter dated 25 March 2020 to reconsider the judgment dated 19 March 2020 under rule 71 of the Employment Tribunals Rules of Procedure 2013, and without a hearing,

## JUDGMENT

I am not prepared to reconsider my refusal of an application to amend the claim

## REASONS

1. At the preliminary hearing of this matter it appeared to me that the claimant wished to include a claim which was not originally in the claim form.
2. That claim was a claim under Reg 5(1)(a) of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (the Regulations). It was a complaint about two clauses of the claimant's contract which he contended were less favourable to him than the equivalent clauses for Full-time workers. The details are set out in the reasons I gave for refusing the application.
3. There was no doubt that that if the claimant wanted to pursue a complaint about that issue he would require permission to amend the claim. The details of the clauses do not appear in the claim form and no fair-minded reader of the claim form could have concluded that the claim form encompassed a complaint about the terms of the claimant's contract. The complaint is about less favourable treatment by way of being subjected to detriments (detailed in my Case Management Order) and although not so labelled, clearly being brought under the second limb of Reg 5(1) of the Regulations.
4. I proceeded with the hearing on that basis and sought the information I would need to deal with such an application. Having done so I gave my decision with reasons and later supplied my reasons in writing.

5. This application stands no reasonable prospect of success. I therefore dismiss it in accordance with my powers in Rule 72(1) Tribunal Rules of Procedure 2013.

6. The claimant's representative was given a full opportunity to put her case. There was no confusion or lack of clarity about what I was doing or why and although the claimant's representative now says that there was no need for me to grant permission to amend, I respectfully disagree for the reasons set out above.

Employment Judge **Rostant**  
**Date 3 April 2020**