



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondents

Miss C Santos Perez

Beaumont Juicer & Deli Ltd

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

SITTING AT: London Central

ON: 20 April 2020

BEFORE: Employment Judge A M Snelson (in chambers)

On reading the application on behalf of the Respondents dated 24 January 2020 and the further representations dated 28 February 2020;

And the Tribunal having received no representations by or on behalf of the Claimant;

The Tribunal adjudges that:

- (1) The judgment sent to the parties on 13 January 2020 is reconsidered and revoked.
- (2) The claims shall be determined at a fresh hearing, notice of which will be sent out in due course.

REASONS

1. By her claim form the Claimant brought claims for unauthorised deductions from wages and compensation for annual leave entitlement outstanding on termination. The claims were challenged in the response form.
2. The matter came before Employment Judge Davidson for final hearing on 8 January this year. The Claimant attended but the Respondents did not. The judge gave judgment in favour of the Claimant on both claims, awarding a total of £819.
3. By a letter dated 24 January, the Respondents' representatives applied for reconsideration of the judgment, explaining that they had not received notice of the hearing.

4. By a letter of 20 February written on the instruction of EJ Davidson the Tribunal gave the parties notice of the judge's provisional view that the application should be granted and invited written representations by 28 February. The Respondents' representative sent a letter reaffirming the contents of the original application. Nothing has been received from the Claimant.
5. The matter comes before me at the direction of Acting Regional Employment Judge Wade, it being judged impracticable to put the application before EJ Davidson, a fee-paid judge not expected to be in a position to attend the Tribunal for the foreseeable future.
6. I am satisfied that it is necessary in the interests of justice to reconsider and revoke the judgment. I have no reason to doubt the explanation on behalf of the Respondents for their failure to attend the hearing on 8 January. They were entitled to contest the case on its merits.
7. Notice of a fresh hearing date will follow in due course. The parties might, however, benefit by attempting to settle the dispute between themselves. The current emergency has hugely disrupted the work of the Employment Tribunals and considerable delays in re-listing hearings will be unavoidable. Correspondence and conversations aimed at achieving settlements are legally 'privileged', which means that neither side can mention them to the Tribunal except to say, if it has happened, that they have reached agreement. ACAS is always available to assist with negotiations, if desired.

EMPLOYMENT JUDGE Snelson

Judgment entered in the Register and copies sent to the parties on 20/04/2020

For Office of the Tribunals