



EMPLOYMENT TRIBUNALS

Claimant: Miss O Harriette

Respondent: Love Language Limited

JUDGMENT

The Respondent's application dated **13 May 2020** for reconsideration of the default judgment sent to the parties on **27 April 2020** is refused.

REASONS

1. The Respondent's application dated 13th of May 2020 for reconsideration of the judgment is refused.
2. The default judgment was sent to the parties on 27 April 2020 and the application for reconsideration was made outside the 14 days required by rule 71 of the 2013 Employment Tribunal rules. The Respondent's asserted that due to the COVID - 19 lockdown it was only able to receive the letter regarding the default judgement on 12 May 2020. However, this in the context of the Respondent failing to present an ET3 to the claim at all.
3. The Respondent had until 6 January 2020 to present a response to the claim, which was addressed at the Claimant's place of work. All correspondence, including the judgment were addressed to that location. Whilst the Respondent's registered office is at a different location there was no explanation as to why correspondence addressed to the place of work would not have been received.
4. On the information provided do not conclude that there is any reasonable prospect of the default judgement being revoked. Even now the Respondent has not presented an ET3 to the claim. It is not considered to be in accordance with the overriding objective of dealing with the case fairly and justly including ensuring the cases dealt with in a way that is proportionate to the complexity and importance of the issues, avoiding delay and saving expense, including tribunal time for the default judgment to be revoked.

5. In these circumstances the Respondent's application for a reconsideration of the default judgement is refused.

**Employment Judge Burgher
Date: 2 July 2020**