



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Hatton

**Respondent:** MWMS Southern Division Ltd

## JUDGMENT ON RECONSIDERATION

The judgment sent to the parties on 2 June 2020 is revoked.

### REASONS

1. In the absence of any response to the claim, my predecessor Regional Employment Judge Parkin's judgment in favour of the claimant under rule 21 was promulgated on 2 June 2020.
2. On 17 June the respondent provided a copy of a "Notice of Appeal" dated 2 June 2020 seeking to have the judgment set aside as the company had not been trading during the pandemic and had not received notice of any hearing date. This was treated as an application for reconsideration.
3. An application for reconsideration is an exception to the general principle that (subject to appeal on a point of law) a decision of an Employment Tribunal is final. The test is whether it is necessary in the interests of justice to reconsider the judgment (rule 70).
4. The address given by the claimant on the claim form in March 2020 was out of date. The company had changed its registered office in August 2019. That is not a criticism of the claimant. The name of the company had also changed in January 2020 and has been amended in this judgment.
5. On 3 August the Tribunal invited the claimant to make any objections to the proposal to revoke the judgment. No objections have been received.
6. As the Tribunal has used the wrong address for correspondence it is not in the interests of justice for the judgment to stand. It is revoked. The parties will be notified of the date for the final hearing.

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Regional Employment Judge Franey

8 September 2020

JUDGMENT AND REASONS SENT TO THE PARTIES ON

29 September 2020

FOR THE TRIBUNAL OFFICE