



EMPLOYMENT TRIBUNALS

Claimant

Razor Sharp

v

Respondent

Commissioners for Revenues & Customs

Heard at: Norwich (by CVP)

On: 30 July 2021

Before: Employment Judge Postle

Appearances

For the Claimant: Mrs J Ridley (Mother).

For the Respondent: Mr Bershadski (Counsel).

DECISION ON AN APPLICATION FOR RECONSIDERATION OF A JUDGMENT

The Judgment dated the 14 January 2020 and sent to the parties on the 27 January 2020 is hereby confirmed.

REASONS

1. On the 14 January 2020 I gave Judgment for the respondent in relation to the claimant's appeal against the notice of underpayment under the National Minimum Wage Act 1998 particularly the appeal had been lodged outside the 28 day prescribed for lodging an appeal. The notice having been dated the 21 June 2019. The last date for entering an appeal was the 22 July 2019. The appeal was presented to the Tribunal on the 1 August 2019.
2. The National Minimum Wage makes no provision for an extension of time in which to enter an appeal and therefore the appellant's appeal was dismissed as being out of time.

3. By letter of the 6 February Sophie Goodacre trading as Razor Sharp made an application for a reconsideration of the Judgment. She then provides a description of her dealings with the Leicester Employment Tribunal Office and what she did by way of sorting out an appeal and her discussions with Susan McManus at the respondent.
4. A notice of reconsideration of the hearing was sent to the parties and listed originally for the 23 July at Norwich Magistrates Court due to the Judge's availability it had to be vacated and was re-listed for 2 pm on 30 July 2021 conducted by the Cloud Video Platform.
5. Mr Bershadski Counsel appeared for the respondent and Mrs Ridley mother of Sophie Goodacre. Unfortunately Mrs Goodacre was not available despite this hearing taking place by Cloud Video Platform because her mother informed the Judge that the claimant had been let down with childcare but did not explain why her mother could not look after the children and Mrs Goodacre appear as she should do to explain exactly what happened with her dealings with the Leicester Employment Tribunal Office and the respondent.
6. The above and absences of the claimant left the Tribunal in the difficult position that there was no direct available evidence in which to properly reconsider the Judgment and therefore the application for reconsideration has been dismissed.
7. If the claimant had been in difficulties in attending today's hearing there was no reason why she could not have applied for a postponement and again she failed to do so.

Employment Judge Postle

Date: 11/8/2021

Sent to the parties on: 26/8/2021

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For the Tribunal Office