EMPLOYMENT TRIBUNALS

Claimants: Ms Vidgen
                         Mrs H Hudson
                         Ms L Payne

Respondent: K2 Smiles Limited

JUDGMENT

The Claimants' application dated 25 January 2022, for reconsideration of the Corrected Reserved Judgment on remedy sent to the parties on 12 January 2022, on the basis that the salary used for the Claimant, Ms Hudson, did not include a salary increase which was awarded to another member of staff who remained employed, is refused.

REASONS

1   There is no reasonable prospect of the original decision being varied or revoked. This matter has been the subject of a previous application for reconsideration and rejected.

2   In the Corrected Reserved Judgment on Remedy dated 23 October 2021, I held as follows.

> *"Mr Wrigley for the Claimants argued that they would have received annual pay increases and he calculates their loss on an increased basis each year. However, he put in documentation showing the average salary for a dental nurse is significantly lower. In the light of that evidence, I cannot assume that the Respondent would have continued to increase the Claimants' salaries well above those which were standard in the industry. I have decided that no salary increases should be applied."*

3   I have previously made it clear that my determination was based on the average salaries for dental nurses supplied to me by Mr Wrigley and that was my view, regardless of the salary increase awarded to another member of staff. In the circumstances, I have refused to reconsider this matter. The reference to an

"assumed pay rise" to which the application refers was to the Claimant's assumption that this Claimant would have been awarded a similar pay rise. It is clear that this application seeks to apply for a reconsideration of a matter that has already been reconsidered and rejected. I do not consider that it is in the interests of justice to reconsider the matter again nor is it consistent with the Tribunal rules.

Employment Judge N Walker
Date__1 February 2022_____