



EMPLOYMENT TRIBUNALS

Claimant: Mrs Cecilia D'Arcy

Respondent: The English Heritage Trust

JUDGMENT

The claimant's application dated 13 April 2022 for reconsideration of the judgment sent to the parties on 1 April 2022 is refused.

REASONS

1. The claimant sent a written response to the Tribunal's reserved judgment, which I have read and treated as a request for reconsideration of that judgment.
2. There is no reasonable prospect of the original decision being varied or revoked.
3. The claimant seeks to clarify a point she made during the hearing about open shifts, and the fact that in practice not all zero hours employees had an equal opportunity to bid for vacancies. I appreciate that the claimant may regard this as unfair, but this makes no difference to my factual finding on whether the claimant was placed on furlough and which role this related to.
4. The claimant also says that the letter placing her on furlough did not explain who was scheduled to work or that zero hours personnel were stood down rather than being placed on furlough. As noted in paragraph 39 of the judgment, this letter could have been expressed more clearly. However, this makes no difference to my factual finding, which was based on the evidence of the respondent's intentions, and interpretation of this letter in light of the background knowledge of the parties at the time.
5. The claimant also says that she did not get a breakdown of her furlough pay in April 2021 and her payment was unclear. Again, this makes no difference to my factual finding on whether the claimant was placed on furlough and which role this related to.

Employment Judge Oliver
Date: 21 April 2022

Judgment sent to the parties: 06 May 2022

FOR THE TRIBUNAL OFFICE