EMPLOYMENT TRIBUNALS

Claimant: **Ms I Ulrick**

Respondent: **Travelodge Hotels Ltd**

Heard at: **Bristol (via VHS video hearing)** **On: 7th July 2022**

Before: **Employment Judge P Cadney**

Representation:
Claimant: In Person
Respondent: Ms Z Hussain

PRELIMINARY HEARING JUDGMENT

The judgment of the tribunal is that:-

i) The claimant's claims for breach of contract in the failure to pay travel expenses and/or for two hours unpaid work were submitted in time and the tribunal has jurisdiction to hear them.

ii) The claimant's claim for unpaid travel time pursuant to the Working Time Regulations 1998 was submitted out of time and is dismissed.

iii) The claimant's application to amend to add an allegation of race and age discrimination in rota'ing her to work in the kitchen on 18th May 2021 is dismissed.

iv) The claimant's claims of race and/or age discrimination were submitted out of time and are dismissed.

v) Directions are given below in relation to the remaining claims. .

Reasons

1. The claimant submitted her claim form on 11th October 2021; and the case came before EJ Gray at a TCMPH on 1st April 2022. He listed the case for a hearing today to determine time points (as set out below) and to give further directions.

2. He identified the claimant's claims as follows:

   i) Race Discrimination (direct s13 Equality Act 2010: and harassment s26 Equality Act 2010);

   ii) Age Discrimination – (direct s13 Equality Act 2010);

   iii) Unpaid Travel Time (Working Time Regulations 1998);

   iv) Unlawful deduction from wages (unpaid wages);

   v) Breach of contract (expenses).

Monetary Claims

3. In respect of the monetary claims the unpaid travel time claim relates to trips to Bath, Gloucester, and Chippenham not all of which have been specifically identified at this stage. The unlawful deduction from wages related to unpaid hours for a shift on 21st March 2021; and the breach of contract related to unpaid expenses for January, February and March 2021.

4. EJ Gray concluded that by reason of the combination of the date of presentation of the ET1 (11th October 2021) and of the ACAS EC period (4th August 2021 – 14th September 2021), that any claim relating to the period prior to 5th May 2021 was out of time. He records the claimant as accepting that all of the events upon which those monetary claims are based occurred prior to May 5th 2021, and that they are on the face of it out of time.

5. This PH was listed in part to consider:

i) Whether it was reasonably practicable for all or any of those claims to have been presented within the primary limitation period; and if not

ii) Whether they were presented within a reasonable time thereafter.

6. In respect of these claims there is no dispute that EJ Gray is correct and that all claims relate to the period up until March 2021.

7. However, the claimant does not accept that they are out of time. She contends that she resigned on 20th May 2021, and that the ACAS EC period served to extend time, as it started within three months of the date of termination, and that her claim form was submitted within one

month thereafter. As a result she contends that these claims are in time.

8. The respondent contends that EJ Gray is correct and that in each case time began to run from the point at which the cause of action accrued (i.e. the point at which any payment should have been made). The claimant has not advanced any argument that that point occurred after 5th May 2021 other than by reference to the date of her resignation.

9. In my judgement the claimant is right in respect of the breach of contract claim. The tribunal has jurisdiction over allegations of breach of contract which are outstanding at the date of termination under its contractual jurisdiction. It follows that the claim for breach of contract in relation to the travel expenses claim is in time irrespective of the fact that the expenses were incurred prior to 5th May 2021.

10. Equally it appears to me that the claim for two hours unpaid wages on 21st March 2021 could equally be categorised as a contractual breach as an unlawful deduction from wages, and that it would be unfair for the claimant, who is a litigant in person, to be prejudiced by the label placed on the claim. It follows that if that claim is viewed as a claim of breach of contract, it too is in time.

11. That is not however true of the final monetary claim. The claim for unpaid travel time is brought pursuant to the Working Time Regulations (1998), and there is no allegation that the failure to pay was in breach of contract. This is not a claim that is easy to follow. There is no freestanding right to be paid for travel time under the Working Time Regulations, simply that in some circumstances it will count towards the calculation of the 48 hour week. In her claim form the claimant simply claims 113 unpaid traveling hours, but neither in it, nor apparently before EJ Gray did she assert that she had a contractual right to be paid for those hours or that the failure to do so constituted an unlawful deduction from wages. Being as generous as is possible to the claimant who is a litigant in person, unless there was a contractual right to be paid those hours the breach would not be outstanding on termination. That would leave a claim under the Working Time Regulations and/or unlawful deduction from wages both of which it was apparently accepted before EJ Gray were out of time, which in my judgment must be correct as there is no suggestion of any travel time being worked after 5th May 2021.

12. The claimant does not contend that any of these claims accrued after or relates to the period after 5th May 2021 and in respect of this claim there is no assertion that EJ Gray was wrong to identify it as having been presented out of time, save as set out above that the claimant relates the time point to the date of her resignation which is not in my judgment relevant to this claim.

13. If, therefore the claim was presented out of time, which for the reasons set out above it necessarily was, the issues for the tribunal. are as set out at paragraph 4 above. During the course of the hearing the claimant as not advanced any evidence that there was any impediment to presenting the claim in time, and as the respondent points out her witness statement lists only the events of which she complains. Moreover her evidence was that when she did present her claim she did so via her own researches online and had presented it in time if she was correct that time began to run from the date of her resignation.

14. In *Palmer and anor v Southend-on-Sea Borough Council 1984 ICR 372, CA*, the Court of Appeal decided that '*reasonably practicable' does not mean reasonable, or physically possible, but means something like 'reasonably feasible*'. The EAT in in *Asda Stores Ltd v Kauser EAT 0165/07* held that '*the relevant test is not simply a matter of looking at what was possible but to ask whether, on the facts of the case as found, it was reasonable to expect that which was possible to have been done*'.

15. In my judgement it would have been possible for the claimant to have discovered that the time limits for all her claims did not run from the date of termination. The question is whether it was reasonable to expect that which was possible to have been done. That in turn rests on whether it was reasonable to expect the claimant to have carried out the necessary research.

16. Ignorance of rights is not normally, without more, considered an impediment to the presentation of a claim (*Porter v Bandridge Ltd 1978 ICR 943, CA*). In this case the information is slightly more arcane in that it relates to the application of time limits not simply the existence of the right itself. However the claimant has not advanced any evidence as to any impediment and I bear in mind that when she did present her claim it was detailed and sophisticated, referencing a decision of the ECJ in support of her travel time claim for example. It follows that there is no evidence before me which would allow me to hold that it was not reasonably practicable to have presented the claim in time.

<u>Discrimination Claims</u>

17. In her ET1/Claim form the claimant set out separate specific allegations of age and race discrimination, the last allegation of age discrimination occurring in October 2019, and the last allegation of race discrimination occurring on 1st November 2020. However the position appears to have changed before EJ Gray as he records all of the allegations of race discriminations set out in the ET1 also being allegations of age discrimination, thus bringing the last of both to 1st November 2020 (CMO para 2.2.1 – 2.2.18) with there being one separate allegation of age discrimination only, occurring in September 2019 (CMO para 2.2.19). EJ Gray specifically records her

as agreeing that all of the claims related to events preceding 5th May 2021, which is the basis for listing this hearing to consider the issue of whether the claims were presented in time an if not whether time should be extended.

18. However in the course of her final oral submissions the claimant alleged that there is a further incident of both age and race discrimination. She was, on or about 18th May 2021 notified of her shifts from 25th March 2021 and that she would be working in the kitchen. The claimant contends that to rota her to work in the kitchen was an act of both age and race discrimination.

Amendment

19. The claimant had not at any point prior to today's hearing specifically identified that event as an allegation of discrimination. It is significant as, if she is permitted on rely on it is in time, and arguably part of a continuing act as she alleges that the individual responsible was Aneta Kopysc, who is alleged also to be responsible for at least some of the earlier acts of discrimination. It would therefore completely change the nature of today's hearing; and the respondent submits that had it been relied on earlier today's hearing may not have taken place at all.

20. The respondent submits that in order to rely on it the claimant would need permission to amend. The claimant submits either that she does not need permission, or alternatively if she does that permission should be granted.

21. The claimant points to the fact that this is set out as the cause of her resignation at Box 15 of the ET1 and that it is factually already before the tribunal.

22. The respondent points out that the claimant served a witness statement specifically in relation to this issue of time limits and did not set out any other event she relied on beyond those set out in her claim form or identified EJ Gray, or suggest that either her original claim, or EJ Gray's identification of the issues was in any way incorrect. The claim form itself sets out the allegations of discrimination very specifically and they do not include this allegation; and it was not raised before EJ Gray as an allegation of discrimination. It follows that it is a wholly new allegation and that if she wants to rely on it she will require permission to amend.

23. In my judgment the respondent is correct. Although referred to in the claim form there is no claim which is based on this event, and in fact no claim arises from her resignation at all. This allegation is not therefore at present factually or legally relevant to any claim before the tribunal and in my judgement it follows that the claimant requires permission to amend to rely on it.

24. The respondent's primary submission is that the claimant should not be permitted to amend as this is a wholly opportunistic means of attempting to avoid the potential consequence of the claims being out of time. She specifically refers to it in the claim form but at no point thereafter until today has she ever suggested that it was an act of discrimination. If she genuinely believed that it was it would have appeared in the list within the claim form, or been raised with EJ Gray, or referred to when she wrote her witness statement. There is only one conclusion which can be drawn, which is that until today she has never considered it an act of discrimination; and it automatically follows that this is simply an attempt to manipulate the tribunal and avoid the consequences of her claims being dismissed as being out of time.

25. In her oral reply the claimant contended that this was not correct and that she had referred to it as being an act of discrimination in an email sent to the respondent in preparation for this hearing. That document was not in the bundle and has been forwarded by the respondent after the hearing. It is not dated but was sent as I understand it at some point prior to 13th May 2022 which was the date for agreeing the bundle for today's hearing.

26. The claimant is correct that in it she does refer to this incident in a document which is her list of documents for this hearing stating "The last drop in the discrimination glass was, when Aneta sent the rota on WhatsApp for the team around 18th May.." and " **18th May was the first time it clicked to me that all the bad things happening to me during my time in Travelodge** was not just because I had to show my commitment to be promoted as manager but **discrimination**" (text in bold in the original).

27. It is not entirely clear from this document what the status of the 18th May 2021 incident is said to be. Up until today the claimant had not alleged that it was in and of itself discriminatory to rota her to work in the kitchen, and on one reading she is simply asserting that that was the point at which she realised that the previous events were discriminatory. If it was intended to be an assertion that the 18th May 2021 rota was itself discriminatory it is curious that it is not referred to her witness statement. However on any analysis this was the first time any such claim had been made and it would still require permission to amend.

28. In determining whether or not to grant an amendment the starting point are the well-known Selkent principles. More recently in *Vaughan v Modality Partnership UKEAT/0147/20/BA (V)* HHJ Tayler analysed the authorities and gave the following guidance :

> 21. *Underhill LJ focused on the practical consequences of allowing an amendment. Such a practical approach should underlie the entire balancing exercise. Representatives would be well advised to start by considering, possibly putting the Selkent factors to one side for a moment,*

what will be the real practical consequences of allowing or refusing the amendment. If the application to amend is refused how severe will the consequences be, in terms of the prospects of success of the claim or defence; if permitted what will be the practical problems in responding. This requires a focus on reality rather than assumptions. It requires representatives to take instructions, where possible, about matters such as whether witnesses remember the events and/or have records relevant to the matters raised in the proposed amendment. Representatives have a duty to advance arguments about prejudice on the basis instructions rather than supposition. They should not allege prejudice that does not really exist. It will often be appropriate to consent to an amendment that causes no real prejudice. This will save time and money and allow the parties and tribunal to get on with the job of determining the claim.

22. *Refusal of an amendment will self-evidently always cause some perceived prejudice to the person applying to amend. They will have been refused permission to do something that they wanted to do, presumably for what they thought was a good reason. Submissions in favour of an application to amend should not rely only on the fact that a refusal will mean that the applying party does not get what they want; the real question is will they be prevented from getting what they need. This requires an explanation of why the amendment is of practical importance because, for example, it is necessary to advance an important part of a claim or defence. This is not a risk-free exercise as it potentially exposes a weakness in a claim or defence that might be exploited if the application is refused. That is why it is always much better to get pleadings right in the first place, rather than having to seek a discretionary amendment later.*

23. *As every employment lawyer knows the Selkent factors are: the nature of the amendment, the applicability of time limits and the timing and manner of the application. The examples were given to assist in conducting the fundamental balancing exercise. They are not the only factors that may be relevant.*

24. *It is also important to consider the Selkent factors in the context of the balance of justice. For example: 24.1. A minor amendment may correct an error that could cause a claimant great prejudice if the amendment were refused because a vital component of a claim would be missing. 24.2. An amendment may result in the respondent suffering prejudice because they have to face a cause of action that would have been dismissed as out of time had it been brought as a new claim. 24.3. A late amendment may cause prejudice to the respondent because it is more difficult to respond to and results in unnecessary wasted costs.*

25. *No one factor is likely to be decisive. The balance of justice is always key.*

26. *Rather like Charles Darwin who, when pondering matrimony, wrote out the pros and cons, there is something to be said for a list. It may be helpful, metaphorically at least, to note any injustice that will be caused by allowing the amendment in one column and by refusing it in the other. A balancing exercise always requires express consideration of both sides of*

the ledger, both quantitively and qualitatively. It is not merely a question of the number of factors, but of their relative and cumulative significance in the overall balance of justice.

27. Where the prejudice of allowing an amendment is additional expense, consideration should generally be given as to whether the prejudice can be ameliorated by an award of costs, provided that the other party will be able to meet it.

28. An amendment that would have been avoided had more care been taken when the claim or response was pleaded is an annoyance, unnecessarily taking up limited tribunal time and resulting in additional cost; but while maintenance of discipline in tribunal proceedings and avoiding unnecessary expense are relevant considerations, the key factor remains the balance of justice.

29. The respondent had not been able to take instructions about this point as it was not raised until this hearing. However Ms Hussain submitted that in dealing with the Selkent factors, although not bringing new legal claims it was a wholly new factual claim and was extremely significant as it alters the whole basis of the question of whether the claims were in time. If the amendment is permitted the respondent will have incurred wasted costs of this hearing (which she accepted could be met by a costs order) but more fundamentally may be exposed to having to defend the whole claim, which but for the amendment may be struck out as being out of time. The amendment therefore causes fundamental prejudice to the respondent as it will deprive it of a potentially complete defence to both claims. Secondly the application is itself out of time only having been made in July 2022 in respect of events which occurred in May 2021; and thirdly it has only been made orally at this hearing and only at the last minute when in her closing submissions the claimant sought to argue that the claims were in time by reference to the 18th May 2021 rota.

30. Further in terms of prejudice if allowed the respondent will now have be able to produce evidence of why an individual manager allocated individuals for specific roles in relation to a shift which took place fourteen months ago.

31. In reality the potential prejudice to the claimant is the obverse of that to the respondent.. All of her other discrimination claims are out of time (subject to the issue of an extension). If the amendment is permitted they suddenly potentially become in time and the question would have be resolved at the final hearing. Without the amendment her whole discrimination claim may never be considered.

32. In my view, as a general proposition, and as a further allegation added to those already set out in and of itself it adds very little. But for the effect on time limits it would be of little benefit to the claimant, and little prejudice to the respondent. However, because of its effect

on time limits it is significant, and in my view there is good reason to be sceptical of the application. The claimant's claim form is detailed and comprehensive, and as set out above contains in parts a sophisticated analysis and understanding of the relevant law. She is obviously intelligent and has put a great deal of thought into the claims. EJ Gray specifically records her as accepting that all of her claims predate the 5th May 2021, and at para 36.1.1 he records that concession in bold. That concession was the fundamental basis for ordering this hearing to decide whether to extend time in relation to the various claims. In those circumstances the suggestion that the omission of the 18th May rota from the acts of discrimination alleged initially was just an error or oversight is extremely hard to accept; and it is even harder to accept that it was overlooked again when the issue was specifically raised by EJ Gray.

33. In those circumstances my view is that the only reasonable conclusion, and certainly the one that have reached, is that the application is made so as to allow the claimant to avoid the consequence of the claims potentially being dismissed as out of time. In those circumstances I am not persuaded that it would be a proper exercise of my discretion to allow the amendment application which is refused.

Time Limits – Discrimination Claims

34. It follows from the refusal of the application to amend, that, as identified by EJ Gray, the last allegation of both race and age discrimination is 1st November 2020 and that all of those claims are out of time. It follows the question for the tribunal is whether it is just and equitable to extend time.

35. The burden of proving that it is just and equitable to extend time to enable a claim to proceed is on the person seeking the extension. In Robertson v Bexley Community Centre t/a Leisure Link (2003) IRLR 434, the Court of Appeal stated that when employment tribunals consider exercising the discretion under s123 Equality Act 2010, '*there is no presumption that they should do so unless they can justify failure to exercise the discretion. Quite the reverse. A tribunal cannot hear a claim unless the claimant convinces it that it is just and equitable to extend time. So, the exercise of dis*cretion *is the exception rather than the rul*e.'

36. Some relevant factors can be derived from s33 Limitation Act 1980 (as identified in British Coal Corporation v Keeble (1997) IRLR 336). S 33 Limitation Act 1980 requires the court to consider the prejudice which each party would suffer as the result of the decision to be made and also to have regard to all the circumstances of the case and in particular, to -

(a) the length of and reasons for the delay;

(b) the extent to which the cogency of the evidence is likely to be affected by the delay;

(c) the extent to which the party sued had co-operated with any requests for information.

(d) the promptness with which the plaintiff acted once he or she knew of the facts giving rise to the cause of action.

(e) the steps taken by the plaintiff to obtain appropriate professional advice once he or she knew of the possibility of taking action.

37. However, the ET has a broad discretion and those factors should not be considered or applied mechanistically; as is set out in Adedeji v University Hospitals Birmingham NHS Trust (2021) EWCA Civ 23:- *"Keeble did no more than suggest that a comparison with the requirements of section 33 might help "illuminate" the task of the tribunal by setting out a checklist of potentially relevant factors. It certainly did not say that that list should be used as a framework for any decision. However, that is how it has too often been read, and "the Keeble factors" and "the Keeble principles" still regularly feature as the starting-point for tribunals' approach to decisions under section 123 (1) (b). I do not regard this as healthy...* " and "*Rigid adherence to a checklist can lead to a mechanistic approach to what is meant to be a very broad general discretion... The best approach for a tribunal in considering the exercise of the discretion under section 123 (1) (b) is to assess all the factors in the particular case which it considers relevant to whether it is just and equitable to extend time, including in particular ….. "the length of, and the reasons for, the delay". If it checks those factors against the list in Keeble, well and good; but I would not recommend taking it as the framework for its thinking*".

38. The respondent firstly submits that the burden lies on the claimant to persuade the tribunal to exercise its discretion (*Robertson* above). The claimant has not adduced any evidence of any impediment to the claims being presented in time or any explanation as to why they were presented out of time other than, just as with the monetary claims, that the claimant essentially relies on the fact that she understood that the claims were in time by reference to the date of resignation. The respondent therefore submits that there is no good explanation for the delay and no material before me from the claimant which would allow me to extend time. However, applying Adedeji (above) in my judgement the fact that the claims were submitted out of time without a good reason for doing so is only one factor to consider.

39. In terms of prejudice the respondent contends that the prejudice to it is considerable if the claims are allowed to proceed. They relate to events between March 2019 and November 2020 and for the most part relate to individual management decisions such as shift allocations and the resolution of disputes between employees. It is simply unreasonable to

expect witnesses to recall why they made ordinary day to day decisions as to such matters which now go back over three years.

40. The prejudice to the claimant is obvious, if time is not extended she will be prevented from bringing claims, some or all of which may be meritorious.

41. This is not, in my judgement an easy case to resolve. The prejudice to either party of extending or not extending time is clear and the choice is a stark one. However in my judgement there is likely to be an evidential prejudice to the respondent in seeking to explain day to day managerial decisions going back to early 2019. Similarly there is in my judgment no good explanation for the delay and the claimant has not in fact attempted to provide one. Set against that is the obvious prejudice to the claimant. Whilst it is extremely finely balanced I have reached the conclusion that the claimant has not persuaded me that it is just and equitable to extend time.

Directions

42. The parties shall notify the tribunal in writing within 14 days:

i) How many witnesses they intend to call in respect of the breach of contract claims identified above and the likely time estimate.

43. On receipt the EJ will give directions for the final hearing.

About these orders; variation and enforcement

1. Any application to extend the length of the hearing bundle and/or witness statements must;
   1.1 Be made in good time, so as not to jeopardise the hearing;
   1.2 Contain an indication as to whether, and if so, in what respect, the hearing time and/or timetable is likely to be affected by the additional time needed for the extra material to be read by the tribunal, challenged in evidence and considered before a judgment can be given. Parties should note that, unless a satisfactory and/or agreed variation to the timetable is contained within an application for any significant extension, it may not be granted.

2. The parties may agree to vary a date in any order, but;
   2.1 Any variation agreed may not be more than 14 days after the date set above unless the Tribunal's permission has been obtained;
   2.2 Any variation will not otherwise affect any hearing date.

3. If any of these orders is not complied with, the Tribunal may:
   (a) Postpone a hearing;
   (b) Waive or vary the requirement;
   (c) Strike out the claim or the response;
   (d) Bar or restrict participation in the proceedings;
   (e) Award costs in accordance with the Employment Tribunal Rules.

4. Anyone affected by any of these orders may apply for it to be varied, suspended or set aside.

Writing to the Tribunal

5. The parties are reminded of their obligations under rule 2 of Schedule 1 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013 ("the 2013 Regulations") to assist the tribunal to further the overriding objective and, in particular, to cooperate generally with each other and with the tribunal.

6. Unless they are specifically required to by an Order, or it is requested by the tribunal or they are applying for an order, the parties should not copy the Employment Tribunal into correspondence passing between them.

7. Whenever they write to the Tribunal, the parties must, however, copy their correspondence to each other.

Useful information

8. The Tribunal is required to maintain a register of all judgments and written reasons. The register must be accessible to the public. It has recently been moved online. All judgments and reasons since February 2017 are now available at: *https://www.gov.uk/employment-tribunal-decisions.*
The ET has no power to refuse to place a judgment or reasons on the online register, or to remove a judgment or reasons from the register once they have been placed there. If you consider that these documents should be anonymised in any way prior to publication, you will need to apply to the ET for an order to that effect under Rule 50 of the ET's Rules of Procedure. Such an application would need to be copied to all other parties for comment and it would be carefully scrutinised by a judge (where appropriate, with panel members) before deciding whether (and to what extent) anonymity should be granted to a party or a witness. A Judgment will not be entered on the Register if it serves to dismiss a claim once it has been withdrawn.

9. There is information about Employment Tribunal procedures, including case management and preparation, compensation for injury to feelings, and pension loss, here: *https://www.judiciary.uk/publications/employment-rules-and-legislation-practice-directions/*

10. The Employment Tribunals Rules of Procedure are here: *https://www.gov.uk/government/publications/employment-tribunal-procedure-rules*

11. *Presidential Guidance - General Case Management*: *https://www.judiciary.gov.uk/wp-content/uploads/2013/08/presidential-guidance-general-case-management-20180122.pdf*

12. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here: *https://www.gov.uk/appeal-employment-appeal-tribunal*

Note; For further assistance in relation to the requirements of these directions and in order to prepare themselves for the final hearing, the parties are referred to the *Presidential Guidance - General Case Management* which can be found at;

http://www.justice.gov.uk/downloads/tribunals/employment/rules-legislation/presidential-guidance-general-case-management.pdf

Note; online publication of judgments and reasons

The ET is required to maintain a register of all judgments and written reasons. The register must be accessible to the public. It has recently been moved online. All judgments and reasons since February 2017 are now available at:
https://www.gov.uk/employment-tribunal-decisions.
The ET has no power to refuse to place a judgment or reasons on the online register, or to remove a judgment or reasons from the register once they have been placed there. If you consider that these documents should be anonymised in any way prior to publication, you will need to apply to the ET for an order to that effect under Rule 50 of the ET's Rules of Procedure. Such an application would need to be copied to all other parties for comment and it would be carefully scrutinised by a judge (where appropriate, with panel members) before deciding whether (and to what extent) anonymity should be granted to a party or a witness.

ONSEQUENCES OF NON-COMPLIANCE

1. Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.

2. The Tribunal may also make a further order (an “unless order”) providing that unless it is complied with, the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.

3. An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative.

_____

Employment Judge P Cadney
Dated: 18th July 2022

ORDER SENT TO THE PARTIES ON
22 July 2022 By Mr J McCormick

FOR THE SECRETARY TO EMPLOYMENT TRIBUNALS