



EMPLOYMENT TRIBUNALS

Claimant: Mr A Kirkman

Respondent:

- 1. Rigby's Executive Coaches Ltd**
- 2. Harris Travel Limited**
- 3. Coach Travel Solutions Ltd**

JUDGMENT

The respondent's application dated 18 July 2022 for reconsideration of the judgment sent to the parties on 4 July 2022 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because:

1. At the outset of the hearing, the Employment Judge noted that the respondent's representative had ceased to act. However, the representative had been on the record until the day before the hearing (13 June 2022). In informing the Tribunal that they had ceased to act, the respondent's former representative confirmed Mr Din's email address and also confirmed that the link for the CVP hearing had been sent to Mr Din. The Tribunal is therefore satisfied that Mr Din knew of the hearing and had the opportunity to attend.
2. There was no request for an adjournment of the hearing.
3. The Tribunal, via the clerk, attempted to contact Mr Asif Din by email, having been given the address by the former representative and having no telephone details on file for Mr Din. Having been unable to reach him, the Employment Judge recalls requesting the clerk to contact Mr Din via each of the three respondents after finding the contact details on the internet, but with no success.
4. The Tribunal has seen no evidence of any e-mail issues which would have meant that the respondents/Mr Din did not receive emails as alleged.
5. It is further noted that there were three previous hearings in this matter and that, despite case management orders, no Bundle was prepared by the respondents (one had been prepared by the claimant) and there was no witness statement from the respondents (due to have been exchanged on 13 May 2022).
6. In all the circumstances, it was reasonable for the Tribunal to continue with the hearing in the absence of the respondents.

Employment Judge **Rice-Birchall**
Date: 28 September 2022

JUDGMENT SENT TO THE PARTIES ON
6 October 2022

FOR THE TRIBUNAL OFFICE