



EMPLOYMENT TRIBUNALS

Claimant: Mr B Stratford

Respondents: Vohkus Limited

Heard at: Southampton (by CVP) **On:** 14 October 2022

Before: Employment Judge Beever

Appearances

For the claimant: in person

For the respondent: not attending

JUDGMENT

Having made such enquiries that were practicable, attempting to contact the respondent by telephone and by email, considering the information available to it, the Judgment of the Tribunal is that:

The respondent's application for reconsideration of the default judgment of EJ Roper 5 August 2022 and for an extension of time for filing a response is dismissed.

REASONS

1. The Tribunal began this 2pm video hearing at 2.30pm. This delay was because there was no attendance by the respondent. The Tribunal staff made multiple attempts to contact the respondent's representative by telephone and by email, but without response.
2. I have concluded that the respondent was aware of today's hearing. On 5 August 2022, in the course of the remedy hearing in front of EJ Roper, the Judge said that he would list the respondent's contested application for reconsideration and extension of time for a further hearing. The respondent was on notice from that moment of a further hearing. On 18 August 2022, the parties were sent a Notice of Hearing by Video of the reconsideration application to take place today. The

claimant confirmed that he received that at 9.34hrs on 18 August 2022 by email and he confirmed that the email had also been sent to the respondent's representative. The parties were sent yesterday details of joining today's hearing, and the claimant confirmed to me that he had received those details.

3. Further, I have concluded that the respondent was on notice of the fact that the Tribunal would need to deal with the respondent's application and that it was therefore incumbent on the respondent to take steps to ensure that it was aware of the progress of the case. This is all the more obvious given the circumstances (i.e. its assertion that communications had not been received previously by the respondent) leading to the application for reconsideration and extension of time.
4. Despite that, the respondent has not taken any steps, either with the Tribunal or the Claimant, to ensure that it kept abreast of proceedings. The Tribunal has had no communications from the respondent after 5 August 2022. The claimant wrote to the respondent on 26 September 2022 seeking payslips which should again have put the respondent on further notice. The respondent did not reply to the claimant at all. The claimant has had no communication from the respondent since the 5 August video hearing.
5. Before making a decision, I ensured that Tribunal staff made every practicable effort to contact the respondent. This was done by telephone and by email, without response.
6. The Tribunal was satisfied that it was in the interests of justice to dismiss the respondent's applications for reconsideration of the default judgment and for an extension of time for service of a response. The Tribunal did so pursuant to rule 47.

EMPLOYMENT JUDGE BEEVER

Date: 14 October 2022

Judgment sent to the Parties: 20 October 2022

FOR THE TRIBUNAL

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