



EMPLOYMENT TRIBUNALS

Claimant: Mr V Chun

Respondent: The Dapper Clinic Limited

RECONSIDERATION JUDGMENT

The claimant's application dated 31 March 2023 for reconsideration of the tribunal's Judgment dated 21 March 2023 and sent to the parties on 22 March 2023 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked for the following reasons.

1. It is not accepted that there were procedural irregularities. The claim was accepted by the tribunal as there was a valid ACAS early conciliation reference. This issue was not raised prior to, or at, the hearing.
2. There were some connection issues with CVP at the start of the hearing. The suggestion to use Teams as an alternative was put forward as an option which might allow all parties to participate. In the event, the respondent was not able to use Teams. The claimant managed to resolve issues with CVP and the case proceeded using CVP. None of the parties objected.
3. Claims for unlawful deductions from wages are not generally case managed in advance. The Notice of Hearing specified that each party was responsible for calling any relevant witnesses and providing relevant documents.
4. The respondent's representative has not identified the documents which were disclosed the day before the hearing or how the late disclosure disadvantaged him in relation to the issues in the case. There was no order for disclosure in these proceedings and the claimant was not in breach of any order relating to disclosure.

5. If the respondent is alleging that the tribunal made an error of law, this is a matter for appeal, not for reconsideration.

Employment Judge Davidson
Date 19 April 2023

JUDGMENT SENT TO THE PARTIES ON
19/04/2023

FOR EMPLOYMENT TRIBUNALS

Notes

Public access to employment tribunal decisions: Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.