



EMPLOYMENT TRIBUNALS

Claimant

Mr Simon Oliver

Respondent

Mr Nathan Gittings

v

Heard at: Cambridge

On: 6 October 2023

Before: Employment Judge M Ord

Appearances

For the Claimants: In person

For the Respondent: Did not attend and was not represented

JUDGMENT on RECONSIDERATION

1. The Claimant's Application for Reconsideration of the Judgment dated 23 November 2022 is granted.
2. The Judgment dated 23 November 2022 is set aside.

Case Management Order

3. The Final Hearing of this case is re-listed to take place on **18 January 2024** at the **Cambridge Employment Tribunal**, sitting at **Cambridge County Court, 197 East Road, Cambridge, CB1 1BA**, to begin at 10am or as soon thereafter as the Tribunal is able to hear it. One full day has been allowed for the conduct of the Final Hearing.
4. The Claimant will bring to the Final Hearing an extra copy of the Final Hearing Bundle and his Witness Statement for use by the Tribunal.
5. The Respondent having failed to comply with the directions dated 24 March 2022 for the exchange of Witness Statements will not be permitted to call evidence at the Final Hearing without leave of the Tribunal conducting the Hearing.

REASONS

1. This matter came before me to hear an Application for Reconsideration by the Claimant of the Judgment dated 23 November 2022.

2. On that day the Claimant's complaint was struck out because the Claimant failed to attend the Final Hearing.
3. Subsequently the Claimant submitted an Application for Reconsideration on the basis that he had been unable to attend the Hearing due to a road traffic accident (he was not involved in the accident) which caused a traffic backlog / traffic jam.
4. The Respondent failed to attend today.
5. I accepted what the Claimant told me, granted his Application for Reconsideration and re-listed the Hearing.
6. The Claimant told me that all steps for preparation of the Final Hearing had been complied with, except the Respondent had failed to disclose any witness evidence. In those circumstances I made an Order reminding the Respondent that he is unable to call any witness evidence without leave of the Tribunal having failed to comply with the directions of the Tribunal.

6 November 2023

Employment Judge M Ord

Sent to the parties on:
8 November 2023.

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For the Tribunal Office.