



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr L Fevrier

**Respondent:**

1. Team Engineering Limited
2. Galliard Homes Limited
3. DM Steelworks Limited
4. In-Sync Group Limited

## JUDGMENT

The claimant's application dated 12 August 2022 for reconsideration of the judgment sent to the parties on 15 August 2022 is refused.

## REASONS

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

1. I have seen the email sent by the claimant to the tribunal dated 12 August 2022. While this does not set out that the claimant asks for the judgment to be reconsidered, it is clear that he is dissatisfied with a number of aspects of the decision and the manner in which it was made. I have therefore treated this as an application for reconsideration of the judgment.
2. The claimant's claims under sections 44 and 47B Employment Rights Act 1996 ("ERA") can only be upheld against an "employer" of a worker or employee. This is defined in the ERA as person or organisation that employed him under his contract whereby he agreed to do or perform personally any work or services for that party.
3. The claimant told me on a number of occasions at the hearing that the second was not his employer. His case was that the first and possibly the fourth respondents were his employers. He was unable to point to any contractual relationship suggesting employment with the second respondent. While it was clear that he strongly feels that the second respondent has breached health and safety legislation and put his safety

in danger, that is not the same as being liable under sections 44 and 47B ERA as an employer.

4. On the claimant's own case it would not have been possible to find the second respondent liable for the claims he was bringing, I cannot see an error of law that would warrant a reconsideration of the decision.

Employment Judge Heath

Date 31 August 2022 \_\_\_\_\_

JUDGMENT SENT TO THE PARTIES ON

31 08 2022

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FOR THE TRIBUNAL OFFICE