



EMPLOYMENT TRIBUNALS

Claimant

AND

Respondent

Mr R Mighton

London Underground Ltd

JUDGMENT

The claimant's application dated 18 February 2017 for reconsideration of the judgment made at a preliminary hearing on 14 February and sent to the parties on 16 February 2017 is refused.

REASONS

1. Employment Judge Wade has read the claimant's application, a number of emailed appendices and further emails.

2. EJ Wade has decided that there is no reasonable prospect of the original decision being varied or revoked, because:

2.1 The decision was the result of careful consideration. Partly because the claimant obtained a representative on the day of the hearing, the arguments were rehearsed more quickly than was envisaged when the hearing was listed but this does not mean that the law was not carefully applied. A two-day hearing was not in the end required.

2.2 The decision was reached through the application of some technical areas of law. However, the position was clear and the claimant has not raised any points which might raise doubt about that.

2.3 The Latin term "res judicata" was indeed referred to but it was explained in plain English and in any event the concept was fully understood by the claimant's representative, Mr Ogilvy.

2.4 Employment Judge Wade is sorry that the claimant is upset but the law had to be applied and if an injustice has been done this will be rectified on appeal.

2.5 EJ Wade recognises that there has been a delay in communicating this decision and apologises. The delay was caused by a combination of the need to review the claimant's many emails, staff leave and the need to check the post and email in-box for a response by the respondent, which has not in the end been received.

Employment Judge Wade
11 April 2017