



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Costa

**Respondent:** iXact Limited

## JUDGMENT

**The Claimant's application dated 13 June 2018 for reconsideration of the judgment sent to the parties on 30 May 2018 is refused.**

### REASONS

1. The Claimant made a timeous application for a consideration under Rule 71 of the Employment Tribunal Rules of Procedure 2013. I have considered the grounds of the application and conclude that it is not necessary to reconsider the judgment in the interests of justice.
2. The hearing was listed to start at 10am. The Claimant was not present. The Tribunal waited until 10.30am. The Claimant sent no message to the Tribunal that morning to indicate that he planned to attend but had been delayed. The Claimant has not provided any evidence to show that his delayed attendance was due to circumstances out of his control. He does not state when his shift ended or why he believed that he had sufficient time to attend.
3. None of the matters raised by the Claimant are such that they would give any reasonable prospect of original decision being varied or revoked. The Tribunal took the case at its most favourable to the Claimant. Even on his case, the latest possible date for dismissal was 9 September 2017 and the case was out of time. Accordingly the application is refused under rules 70 and 72.

Employment Judge Russell

20 August 2018