



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Bulloss

**Respondent:** Shelter, The National Campaign for Homeless People Limited

## JUDGMENT

The claimant's application dated **22 March 2019** for reconsideration of the judgment sent to the parties on **7 March 2019** is refused.

## REASONS

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

1. My provisional view in respect of this application was set out in the Tribunal's letter to the parties dated 22 May 2019.
2. The claimant has in the meantime, as requested, provided further information as to the basis for his application. That is in his email of 2 June 2019. The claimant says that he believes that the Tribunal made two mistakes in its remedy Judgment. Essentially the alleged mistake was concluding that the claimant had not raised a grievance with the result that the Tribunal did not have jurisdiction to award an uplift under the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992, section 207A. The mistake according to the claimant is that on the evidence before it the Tribunal should have concluded that a grievance had been raised.
3. The claimant understands that one of the grounds for a reconsideration is that a mistake has been made. In fact, under the current Employment Tribunal Procedural Rules the sole ground for reconsideration is that it is necessary to do so in the interests of justice. However under the preceding rules (the 2004 Rules) five separate grounds were set out and these included where a Judgment had been wrongly made as the result of an administrative error. It is generally accepted that the earlier specific grounds now inform the sole ground.
4. However, that does not assist the claimant here because he is alleging that the mistake was in terms of applying the law to the facts as found. That is not an

**Case No: 1806293/2017**

administrative mistake. As indicated in the Tribunal's letter of 22 May 2019 that *could* be a ground for an appeal to the Employment Appeal Tribunal.

5. For the reasons set out above and for the provisional reasons set out in the 22 May 2019 letter I conclude that this application has no reasonable prospect of success and accordingly it is refused.

Employment Judge **Little**

Date 25<sup>th</sup> June 2019