



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Garnett

**Respondent:** ABM Facility Services UK Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013

1. The Claimant is Ordered to pay the Respondent's costs from 15 July 2019 arising from and occasioned by the unreasonable conduct detailed in paragraph 3 below. The Respondent's costs in that period are summarily assessed at £3,195.24.
2. Having regard to the Claimant's means, the Claimant is Ordered to pay **£1,000.00** in respect of those costs.
3. The Claimant acted unreasonably in:-
  - (a) Failing to attend the hearing on the 16 July 2019 without any proper cause and without giving prior notice to the Tribunal or the Respondent of his non-attendance.
  - (b) Failing, thereafter, to comply with the Case Management Orders which were made on that date and subsequently.
  - (c) Making a misconceived reconsideration application, causing the Respondent to incur further unnecessary cost in resisting the application. It was misconceived because it was presented significantly outside the permitted time limits, without any proper basis for failure to apply within the prescribed time limit.
4. The Claimant failed to comply with the Order of 30 October 2019 requiring him to respond to the Respondent's application for costs and to provide evidence of his means to pay any costs Order. The Employment Tribunal Judge therefore had regard to the evidence of the Claimant's means available from the Tribunal file, including the Claimant's indication in his correspondence of 14 October 2019 that he was able to pay the deposit sums of £400.

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Employment Judge Midgley

Date: 8 January 2020

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