



EMPLOYMENT TRIBUNALS

Claimant: Mr Jose de Araujo

Respondent: Surecare Barnet Limited

JUDGMENT

The claimant's application dated 27 October 2019 for reconsideration of the judgment sent to the parties on 15 October 2019 and for which reserved reasons were sent to the parties on 6 December 2019 is refused.

REASONS

1. The judgment was given orally at the hearing on 10 September 2019 and that judgment was sent to the parties as a written judgment on 15 October 2019. Reasons were reserved and those reasons were sent to the parties on 6 December 2019.
2. On 27 October 2019 by email Mr Wayne Lewis, against whom a wasted costs order was made in that judgment, submitted to the tribunal an application for reconsideration of the judgment for the reasons set out in that email, in essence that "it is necessary for the judgment to be varied or revoked because the judgment was wrong and unjust".
3. Given that the parties had not at the time of that reconsideration application received the Tribunal's reserved reasons, by letter dated 10 December 2019 sent on my direction by the Tribunal both parties were required to provide any further written representations relied on in connection with the reconsideration application by 6 January 2020, and the claimant was required to clarify whether he challenged the deposit order made against him .
4. Written representations were received from both the respondent and from Mr Wayne Lewis on 6 January 2020. The written submissions

form Mr Wayne Lewis applied for reconsideration of the judgment including the striking out the claims of unfair dismissal and the claim brought under the provisions of s.47B of the Employment Rights Act 1996, and the wasted costs order made against Mr Wayne Lewis. There was no challenge to the deposit order made as a condition of the claimant continuing to advance the claim for outstanding holiday pay. The respondent opposed the reconsideration application.

5. Having fully considered the parties submissions and in particular the respondent's submissions there is nothing of substance in those written submissions that was not considered by me at the hearing and recorded in the reserved reasons sent to the parties on 6 December 2019.
6. Accordingly, there is no reasonable prospect of the original decision being varied or revoked and the reconsideration application is refused.

Regional Employment Judge Byrne

Date__14 January 2020_____

JUDGMENT SENT TO THE PARTIES ON

.....22.01.20.....

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FOR THE TRIBUNAL OFFICE