



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Garnett

**Respondent:** ABM Facility Services UK Limited

**Before:** Employment Judge Midgley in Chambers : **Date:** 31 January 2020

## RECONSIDERATION JUDGMENT

Employment Tribunal Rules of Procedure 2013

1. The Claimant's application by email dated 22 January 2020 for reconsideration of the Judgment of 8 January 2020 that he should pay £1000.00 towards the Respondent's costs is dismissed on the grounds that it is not necessary in the interests of justice to permit reconsideration.

## REASONS

1. The interests of justice require the Tribunal to act in accordance with the Overriding Objective to deal with cases justly. The requirement to deal with cases justly requires the application of recognised principles including the finality of litigation, which is in the interests of both parties, dealing with cases in a way which is proportionate to their complexity and importance of the issues and avoiding delay and saving expense.
2. The Tribunal has a broad discretion when determining whether it would be necessary in the interests of justice to permit an application for reconsideration, but that discretion must be exercised judicially which requires the Tribunal to have regard both to the interests of the applicant and to the respondent to the application (see Outasight VB Limited v Brown [2015] ICR 11).
3. The Claimant seeks reconsideration of the Judgment in respect of costs on the grounds that the Tribunal did not take what the Claimant regards to be necessary or appropriate steps to notify him of the hearing on 16 July 2019.

4. The grounds of the Claimant's application for reconsideration do not relate to the grounds upon which the Judgment in respect of costs was made and do not engage with the grounds on which the Respondent applied for costs.
5. Consequently, it is not necessary in the interests of justice to reconsider the Judgment on costs in the circumstances where the Claimant has not challenged the basis for that order.

Employment Judge Midgley

Date: 3 February 2020

Judgment sent to parties: 6 February 2020

FOR THE TRIBUNAL OFFICE