



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

V

RESPONDENT

Mr S Griffith

Canon UK Ltd

RECONSIDERATION JUDGMENT

The Claimant's email dated 4 March 2020 has been treated as an application for reconsideration, which has been refused as there is no prospect of the original decision being varied or revoked.

REASONS

1. By an email dated 4 March 2020, the Claimant has complained about the outcome of the hearing on 26 February 2020. Whilst it has not been expressly stated as an application for reconsideration, it has been treated as such.
2. The purpose of the hearing on 26 February 2020 was to consider whether the Tribunal had jurisdiction to hear the Claimant's unfair dismissal claim. In doing so, I had to consider whether to extend the time limit for bringing such a claim, given that the Claimant had submitted his claim outside the applicable time limit. I can only do this if I am satisfied that it was not reasonably practicable for the Claimant to bring his claim in time, and that he submitted it within such further period as was reasonable. My decision as set out in my written reasons, was that it was reasonably practicable for the Claimant to have presented his claim within the applicable time limit. Even if it was not, he did not then present it within such period as was reasonable in all the circumstances.

3. I shall now deal with the points made by the Claimant in his application for reconsideration:

The defendant when asked by the Judge who are you she replied I am from a partner Company

4. The person representing the Respondent was the HR Business Partner. I fear the Claimant may have misunderstood this. My understanding is that she was an employee of the Respondent. But even if she was not, she had authority to act and her status does not affect the decision I made regarding time limits.

The defendant did not complete the defendants Company appeals process for three months

5. This does not excuse the Claimant from submitting his claim within the applicable time limit. I took into account all of the circumstances, including what the Claimant said about the appeal, in reaching my decision.

I (Claimant) stated I took a stressful job and had to deal with my father who was ill. I am also a single parent

6. I took these factors into account and concluded that this did not mean that it was not reasonably practicable to bring the claim in time.

The defendant also went through the ACAS process and offered an amount to settle the case.

7. This is irrelevant to the factors I have to consider.

The Judge did not know if the defendant actually turned up at the hearing so could not find in the defendant's favour. The defendant was also not asked to take the stand and swear to tell the truth as I did.

8. The Respondent does not have to provide evidence. The burden is on the Claimant to prove that it was not reasonably practicable to bring his claim in time. The only way to do this is to give evidence as to the reasons why the claim was submitted late.

**Employment Judge Hyams-Parish
24 March 2020**