



# EMPLOYMENT TRIBUNALS

**Claimants:** 1. Mr. P Daly  
2. Mr. M Weymouth

**Respondent:** Osborne Construction Ltd

## JUDGMENT

The claimants' joint application dated 27 February 2020 for reconsideration of the judgment sent to the parties on 15 February 2020 is refused.

## REASONS

1. There is no reasonable prospect of the original decision being varied or revoked, because it is not necessary in the interests of justice to do so.
2. In support of their application for reconsideration, the Claimants have repeated arguments which were considered during the hearing, and relevant findings are set out in the Tribunal's reasons.
3. The Claimants disagree with the Tribunal's findings, but that is not an adequate basis for a reconsideration. In particular, the Tribunal assessed the overall fairness of the dismissal in the context of the consideration given to it by both the dismissing and the appeal managers, as it is entitled to.
4. Further, it is well established that the written reasons only need to meet the test of adequacy set out in the case of *Meek v City of Birmingham District Council* [1987] IRLR 250 CA, as cited in paragraph 1 of the reasons for the original decision.
5. Further, as set out in rule 2 of the Employment Tribunals Rules of Procedure 2013, in exercising any power given to it, such as the provision of reasons for its decision, the Tribunal shall seek to give effect to the overriding objective of dealing with cases fairly and justly, one aspect of which is dealing with cases in ways which are proportionate to the complexity and importance of the issues. The Tribunal's reasons were set out in some detail and adequately dealt with the issues identified.

6. In the circumstances the Tribunal did not consider that it was necessary in the interests of justice to reconsider the original decision, and the application was therefore refused.

Employment Judge HYDE

Date: 17 April 2020