



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Janusz Grden

**Respondent:** Travis Perkins Plc

## JUDGMENT on RECONSIDERATION

The claimant's application dated **18 August 2020** for reconsideration of the Judgment sent to the parties on **5 August 2020** is refused.

### REASONS

There is no reasonable prospect of the original decision being varied or revoked, for the following reasons:

1. In his Application, the Claimant seeks to rely on "*fresh evidence*". None of this evidence is new evidence.
2. Attached to the Claimant's Application are various documents, all of which pre-date the original Hearing. No Application was made by the Claimant to add these to the document Bundle, nor were copies of these documents presented to the Tribunal during the Hearing. They were available to the Claimant at all times.
3. These documents were available to the Claimant prior to the initial Hearing. On that basis, they are not new evidence and they should have been presented to the Tribunal at the time of the original Hearing. The Claimant had them in his possession at all times and they are not documents which have only recently come to light.
4. The same consideration applies to an audio record from an investigatory meeting with Mr Robertson.
5. The balance of the Claimant's Application for Reconsideration primarily relates to his not agreeing with the outcome of the Hearing. That is not a ground for reconsideration.

6. In the Application for Reconsideration, the Claimant also refers to a request of 22 June 2020 for an interpreter and an email of 30 June 2020 when an Application to add additional documents to the Bundle, both of which were apparently sent to the Employment Tribunal. Neither email is on the Tribunal file and neither email nor request was brought to the attention of the Judge at the time of the Hearing. The Claimant could have raised these matters at the Hearing but did not do so.
7. For the above reasons, the Claimant's Application for a Reconsideration is refused.

3 December 2020

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Employment Judge Ord

Date: 11 December 20

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL OFFICE