



EMPLOYMENT TRIBUNALS

Claimant: Miss V Brown

Respondent: Baxterstorey

JUDGMENT

The claimant's application dated **17th December 2020** for reconsideration of the judgment sent to the parties on **17th December 2020** is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because

This matter has been given full consideration before the decision was made, including a substantial time spent in deliberation.

The matters now raised by the Claimant are essentially a duplication of her submission that she, wrongly, believed that she had to complete an internal grievance process before making an application to the tribunal. In so far as the further comments about her discussions with the trade union representative are concerned may, in fact, amount to "new evidence" this was nonetheless evidence which could have been given at the hearing.

The purpose of this hearing was made sufficiently clear at the last case management discussion before Employment Judge Parkin. Even making all proper allowances for the Claimant as an unrepresented party, she ought to have been ready to address the relevant issues as best she could.

The Claimant's awareness of time limits, her ability to take appropriate advice, the delay of some 2 months, her failure to act promptly and the potential prejudice to the Respondent in not now having witnesses readily

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available were all matters that were taken into account. So too were the apparent reason for the claim being presented when it was, that is the supervening pending redundancy rather than any failure to complete the grievance appeal (or indeed to arrange for union representation), and the substantive merits of the claim which was still not yet fully particularised.

Whilst it is clear that the Claimant is indeed unwell there was no good evidence to suggest that her health actually prevented her from having brought a claim in good time.

In the circumstances there is no reasonable prospect of the decision being different if it were to be taken again.

Employment Judge **Lancaster**
Date 21st December 2020

JUDGMENT SENT TO THE PARTIES ON
Date 21st December 2020