



EMPLOYMENT TRIBUNALS

Claimant: Mr C Vokes

Respondent: TUI Airways Ltd

JUDGMENT

The claimant's application dated 26 February 2021 for reconsideration of the judgment sent to the parties on 12 February 2021 is refused.

REASONS

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

1. The claimant has applied within time stating that he would like to appeal the decision to strike out his claim for unauthorized deduction from wages. Appeals from an Employment Tribunal judgment must be made to the Employment Appeal Tribunal within 42 days of the date on which the written reasons were sent to the parties (rule 3(3)(a)(i) of the Employment Appeal Tribunal Rules 1993. The claimant's application has therefore been treated as an application for a reconsideration under rule 71 of the Employment Tribunal Rules of Procedure 2013.
2. The claimant argues that, based upon the timeline set out in his application of 26 February 2021, and taking into account the effects of early conciliation on time limits, any act dated up to and including the 5 March 2019 is in time. He argues that, since he was paid wages from which the deduction had been made "up until (and including) 19/03/2019" the unauthorized deduction from wages claim was made in time.
3. This was an argument which he made before me on 4 January 2021 and which I rejected for reasons set out in paragraphs 24 to 27 of the reasons sent to the parties on 12 February 2021. I am therefore of the view that there is no reasonable prospect of the original decision being varied or revoked and

refuse the application for reconsideration under r.72(1) of the Rules of Procedure 2013.

4. There is an erroneous reference in paragraph 15 of the reasons to a complaint not being presented “within three months of the effective date of termination” which is inapplicable in the circumstances of this case. It should have read “within the time limit prescribed in s.23(2) of the ERA”. I apologise for any confusion caused.

Employment Judge George

Date 19 March 2021

JUDGMENT SENT TO THE PARTIES ON

22/03/2021

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J Moossavi

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FOR THE TRIBUNAL OFFICE

