



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Moor

**Respondent:** Gateway Housing Association Ltd

**Before:** Employment Judge Elgot

## DECISION ON APPLICATION FOR RECONSIDERATION

1. The Claimant made a request by emails dated 25 February 2021 and 1 March 2021 for reconsideration of the Tribunal's Judgment dated 15 February and sent to the parties on 18 February 2021. The request was brought to my attention on 10 March 2021.
2. Written Reasons for the Judgement have also been requested and sent to the parties. The Judgment records my decision to strike out all of the claims by reference to Rule 37 (1) (c ) because the Claimant has failed to comply with orders of the Tribunal.
3. I am satisfied by reference to Rule 71 Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 that there is no reasonable prospect of the original decision being varied or revoked and consequently I REFUSE the application.
4. The Claimant states in his application that the judgment is the subject of discrimination by putting him at a disadvantage whilst he is shielding under the 'Public Health Coronavirus Act 2020'.
5. I am certain that no such discrimination or disadvantage occurred at the preliminary Hearing on 15 February 2021. The Claimant received the Notice of Hearing dated 29 January 2021 and knew the purpose of the hearing. He was able to fully participate using his laptop from home to access the Cloud Video Platform. He had copies of the relevant documents. The Claimant has some discomfort and hoarseness when speaking, as a result of previous surgery, but he was able to present his arguments and could be heard and understood. He was given a ten minute break to rest his voice between 11.15 and 11.25 a.m. in a hearing lasting from 10 a.m. until 12 p.m.

He made no request for a postponement or adjournment and indicated no other requirement for assistance or adjustments.

6. In his email dated 25 February 2021 the Claimant says that his brother '*who has been supporting me*' is also shielding. This was not mentioned at the Hearing nor was any reason given why the Claimant's brother could not join the video call remotely using the same link.
7. The Claimant asks to be given a chance which was denied to him. The reasons for the judgment which were given both orally and in writing set out in detail the explanation given by me as to how the several opportunities given to him have not been taken up. He has persistently failed to comply with Tribunal orders and given no indication that compliance will be forthcoming in the future. There is continuing prejudice to the Respondent and a fair trial is not possible.

**Employment Judge Elgot  
Date: 6 April 2021**