



EMPLOYMENT TRIBUNALS

Claimant: Mr R Barb

Respondent: BDW Trading Ltd

JUDGMENT ON APPLICATION FOR RECONSIDERATION

The claimant's application dated **10 March 2021** for reconsideration of the judgment sent to the parties on **8 March 2021** is refused.

The judgment is confirmed.

The complaint of direct race discrimination related to alleged incidents on 24 October 2019, 14 February and 28 February 2020 are out of time and the Tribunal has no jurisdiction to hear them. They are struck out.

The Claimant's application to add complaints of harassment and unfair dismissal to his claim are refused. In addition, the Claimant did not have two years' service at the termination of his employment on 5 June 2020 and therefore, the Tribunal has no jurisdiction to hear his complaint of unfair dismissal.

REASONS

Under Rule 72 of the Employment Tribunals Rules of Procedure 2013, the Employment Judge has considered the Claimant's application for reconsideration and has determined that there are no reasonable prospects of the original decision being varied or revoked, because:

The points that the Claimant makes in his application are points that he made at the preliminary hearing on 26 February. The application for reconsideration is an attempt to re-argue the reasons why he considers that his claim should have been allowed to proceed and his applications should have been granted.

The Tribunal has already set out in detail in the judgment issued on 8 March, the reasons why the Tribunal decided as it did.

Case No: 3202631/2020

The Claimant's application for reconsideration expands upon points made, or which could have been made at the hearing on 26 February 2021. The application does not set out any new reasons why the Tribunal should reconsider its decision.

There are no new reasons put forward as to why the interests of justice require the decision to be reconsidered.

None of the matters raised by the Claimant are such that they would give any reasonable prospect of the original decision being varied or revoked.

The Claimant's application for reconsideration of the judgment made on 26 February 2021 is refused for the reasons stated above under Rules 70 and 72 of the Employment Tribunals Rules 2013. The judgment promulgated to the parties on 8 March is confirmed.

Employment Judge Jones

7 April 2021