



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Ms S Jama-Yusuf**

**LHR Airports Limited**

## JUDGMENT ON RECONSIDERATION

### Rules 70 - 73 of the Employment Tribunal Rules of Procedure 2013

Upon the claimant's application made by various emails and accompanying document of 4 and 7 June 2022 to reconsider the judgment sent to the parties on 25 May 2022 under Rule 71 Employment Tribunal Rules of Procedure 2013 and without a hearing:-

The application to reconsider is refused as there is no reasonable prospect of that judgment being varied or revoked.

## REASONS

### Introduction

1. The background to this case and the reasons for our findings are set out in the judgment referred to above. It will not be repeated here. The claimant states that some matters are to be appealed but has also asked for reconsideration.
2. In the judgment sent to the parties on 25 May 2022, reasons were provided for the oral judgment which had been given on 27 April 2022.
3. The claimant's document of 4 and 7 June 2022 is somewhat lengthy. In summary, the claimant believes there have been mistakes and disputes that any part of her claim was out of time. She says that all relevant witnesses were not present and CCTV footage was not available.

### Rules

4. The relevant employment tribunal rules for this application read as follows:

*RECONSIDERATION OF JUDGMENTS*

*Principles*

*70. A Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision (“the original decision”) may be confirmed, varied or revoked. If it is revoked it may be taken again.*

*Application*

*71. Except where it is made in the course of a hearing, an application for reconsideration shall be presented in writing (and copied to all the other parties) within 14 days of the date on which the written record, or other written communication, of the original decision was sent to the parties or within 14 days of the date that the written reasons were sent (if later) and shall set out why reconsideration of the original decision is necessary.*

*Process*

*72.—(1) An Employment Judge shall consider any application made under rule 71. If the Judge considers that there is no reasonable prospect of the original decision being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application shall be refused and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response to the application by the other parties and seeking the views of the parties on whether the application can be determined without a hearing. The notice may set out the Judge’s provisional views on the application.*

*(2) If the application has not been refused under paragraph (1), the original decision shall be reconsidered at a hearing unless the Employment Judge considers, having regard to any response to the notice provided under paragraph (1), that a hearing is not necessary in the interests of justice. If the reconsideration proceeds without a hearing the parties shall be given a reasonable opportunity to make further written representations.*

*(3) Where practicable, the consideration under paragraph (1) shall be by the Employment Judge who made the original decision or, as the case may be, chaired the full tribunal which made it; and any reconsideration under paragraph (2) shall be made by the Judge or, as the case may be, the full tribunal which made the original decision. Where that is not practicable, the President, Vice President or a Regional Employment Judge shall appoint another Employment Judge to deal with the application or, in the case of a decision of a full tribunal, shall either direct that the reconsideration be by such members of the original Tribunal as remain available or reconstitute the Tribunal in whole or in part.*

5. In essence, my task is to consider whether a reconsideration is in the interests of justice. Where I consider there is no reasonable prospect of the decision being varied or revoked, under Rule 72, the application shall be refused.

**Conclusions**

6. This matter was heard over six days with judgment on the last day. As the reasons record, there were eight witnesses for the respondent and a substantial bundle of documents. Both parties had time to make submissions.
7. The application attempts to re-argue that which we considered and decided. The claimant is unhappy about the outcome but has provided no good reasons for the case to be reconsidered. It is not in the interests of justice to reconsider the judgment. The claimant cannot show that there is any missing relevant evidence and matters were fully explored at the hearing.
8. There is no reasonable prospect of the judgment being varied or revoked and the application is refused.

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**Employment Judge Manley**

Dated 14 July 2022

**Judgment sent to the parties on**

**18 July 2022**

**For Secretary of the Tribunals**