



EMPLOYMENT TRIBUNALS

Claimant: Mr D Uzunov

Respondent: ABM Technical Solutions Limited

JUDGMENT

The claimant's application dated **26 April 2022** for reconsideration of the judgment sent to the parties on **13 April 2022** is refused.

REASONS

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

1. First, the email the claimant sent to the tribunal on 26 April 2022 in which he asked for a reconsideration of the judgment did not come to the attention of the judge until late August 2022. EJ Heath apologises for the length of time it has taken to consider his application for reconsideration.
2. The procedural issues which led to the tribunal considering the evidence from the claimant are set out in paragraphs 6-9 of the judgment. The claimant had been in breach of case management orders in relation to producing his evidence and was subject to an unless order. The tribunal had to ensure that both parties were on an equal footing and was astute to avoid the respondent being "ambushed" with late evidence. Insofar as the claimant's email of 26 April 2022 is understood, the tribunal does not consider that the Reasons disclose any errors of law or that conclusions were flawed in respect of how the tribunal received evidence.
3. In terms of the substance, the claimant appears to be seeking to reargue the facts. The tribunal assessed the evidence, made findings of fact, applied the law and made conclusions on the issues which both parties agreed were the relevant ones for decision. On behalf of the tribunal, EJ Heath does not consider that the Reasons disclose an error of law. The

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claimant is free to appeal to the Employment Appeal Tribunal, but his disagreement with the facts as found by the tribunal is no basis for a reconsideration.

Employment Judge **Heath**

Date 31 August 2022 _____

JUDGMENT SENT TO THE PARTIES ON

31/08/2022

FOR THE TRIBUNAL OFFICE