



EMPLOYMENT TRIBUNALS

Claimant: Mr M Majoch

Respondent: Biffa Municipal Ltd

JUDGMENT UPON RECONSIDERATION

The claimant's application dated 29 August 2022 for reconsideration of the judgment sent to the parties on 29 July 2022 is refused.

REASONS

1. In a judgment dated 13 July 2022 and sent to the parties on 29 July 2022 following a 3 day hearing, the Tribunal unanimously found that the claimant was disabled, but dismissed the claimant's claims for disability discrimination, unfair dismissal, wrongful dismissal and unlawful deduction from wages.
2. On 11 August 2022 the claimant made an in-time application for reconsideration of the judgment. That application was considered by Employment Judge Ayre and refused in a Reconsideration Judgment dated 18 August 2022 and sent to the parties on 27 August 2022.
3. On 29 August 2022 the claimant made a second application for reconsideration of the original judgment. Rule 71 of Schedule 1 to the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 provides that applications for reconsideration should be made within 14 days of the date upon which the judgment is sent to the parties.
4. The second reconsideration application was made more than 14 days after the original judgment was sent to the parties. It is therefore out of time. The only reason provided by the claimant's representative for

making the application out of time is: “*the Claimant discovery of new facts from disclosure of documents as is in interest of justice.*”

5. All of the documents referred to by the claimant in the application appear to have been dated or received by the claimant prior to the final hearing of the claim in June 2022.
6. There are no grounds disclosed in the second application for reconsideration of the judgment that persuade me to extend the time limit set out in Rule 71.
7. In any event, having read and considered the claimant’s second application for reconsideration, I am of the view that, for the reasons set out in my earlier reconsideration judgment, there are no reasonable prospect of the original judgment being varied or revoked. The claimant’s application for reconsideration of the judgment is therefore refused.

14 September 2022

Employment Judge Ayre

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE