



EMPLOYMENT TRIBUNALS

Claimant: Mr H Jani

Respondent: Elis UK Ltd

UPON the Tribunal having given a reserved judgment dated 21st March 2022 (sent to the parties on 13th April 2022)

AND UPON the Claimant having sought a reconsideration of that decision by letter dated 27th April 2022 and the Tribunal having refused the request for a reconsideration by a judgment accompanied by written reasons dated 28th April 2022

AND UPON THE CLAIMANT'S APPLICATION under rules 70 and 71 of the Employment Tribunals Rules of Procedure 2013 made by e-mail dated 9th May 2022, to reconsider the refusal dated 28th April 2022 to reconsider the judgment dated 21st March 2022, without a hearing

JUDGMENT

The Claimant's application for reconsideration of the judgment dated 28th April 2022 is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked, because the Claimant is seeking to re-assert or re-argue matters that have already been considered.
2. No error of law or fact on the part of the Tribunal is asserted in the request for a reconsideration dated 9th May 2022.
3. The detailed reasons why the claims were dismissed were fully set out in the written reasons which accompanied the reserved judgment of 21st March 2022.

Explanation as to the refusal to reconsider that judgment is set out in the detailed reasons given on 28th April 2022.

4. All the matters raised in the both the requests for reconsideration dated 27th April 2022 and 9th May 2022 were taken into consideration in reaching the original decision and full consideration has already been given to the Claimant's reasons for the delay in bringing the claims.
5. No new information of any significance is presented in the e-mail of 9th May 2022. The additional payslips (dated March 2018) and calculations attached to that e-mail also do not raise any new matters relevant to the determination that the claims were out of time and should be struck out that were not before the Tribunal at the preliminary hearing on 14th January 2022.
6. Paragraphs 88 and 101 of the written reasons which accompanied the reserved judgment of 21st March 2022 make it clear that the Tribunal considered the documents at pages 104 and 105 of the bundle in reaching the decision to strike out the claims as being out of time.
7. The law in relation to time limits is clearly set out in paragraphs 21- 28 of the written reasons which accompanied the reserved judgment of 21st March 2022 and the way in which the law was applied in relation to the matters raised by the second reconsideration request is set out in paragraphs 86 to 103.
8. There are therefore no reasonable prospects of the original decision being varied.
9. There are no special reasons why the matter should be reconsidered when there are no reasonable prospects of the original decision being varied.

Employment Judge L Clarke

Dated: 14 July 2022

The reasons for this decision were given orally at the hearing. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of this written judgment being sent to the parties.

Public access to employment tribunal decisions

Note that both judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the parties.