



EMPLOYMENT TRIBUNALS

Claimant: Ashling Reid

Respondent: Independent Catering Management Ltd

JUDGMENT

The Claimant's application for reconsideration of the judgment sent to the parties on 08 December 2022 is refused.

REASONS

In a document recently sent to the Tribunal, the Claimant states:

"I would like some sort of reconsideration of the decision made regarding the remedy and statement of loss, bearing in mind the Judge took the Respondent's testimony given at the hearing as truth when we weren't given the full opportunity to disprove his testimony.

We would like a reconsideration in order for the ACAS uplift to be 25% as none of the ACAS codes were followed. It was an arbitrary decision not based on facts. This would have required the case to be heard in full to prove that no ACAS processes or guidelines were followed."

As set out in the reasons provided orally and subsequently provided in writing, I refused the Claimant's application to conduct a 3-day hearing in relation to liability given that the Respondent accepted liability. It would have been an inappropriate use of Tribunal resources to conduct a 3-day hearing on liability, when it was accepted.

The Claimant was given every opportunity to reach agreement with the Respondent regarding remedy. Once the hearing commenced and it was clear that liability was accepted, the parties were instructed to go through the Schedule of Loss, and agree the amounts. If no agreement was reached, the parties were instructed to set out the areas of disagreement. After several hours, no agreement was reached. The Tribunal then heard submissions from both parties on remedy and subsequently made findings.

Insofar as the ACAS uplift is concerned, I have indicated in my reasons why I determined that an uplift of 10% was appropriate. Such an uplift is a matter for my discretion.

The application for reconsideration is therefore refused as there is no reasonable prospect of the original decision being varied or revoked.

Employment Judge Apted
Date: 13 December 2022

Sent to the parties on
Date: 19 December 2022