



EMPLOYMENT TRIBUNALS

Claimant: Mrs M Russell

Respondent: EE Limited «resp_others»

JUDGMENT

The claimant's application dated 2 December 2022 for reconsideration of the judgment dated 28 July 2022 (with written reasons sent to the parties on 17 November 2022) is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, for the following reasons:

1. The claimant's application provides no new information about the merits of her case for extending the time limits applicable to her claims. This was the sole issue for the Public Preliminary Hearing which took place on 28 July 2022. The scope of that hearing had been explained to the parties at the previous Preliminary Hearing (in private) on 27 May 2022.
2. In her application the claimant refers to problems she experienced at work due to her disability, and says these were ongoing from the start of her employment in 2016 until she resigned in 2021. There were issues predating the requests for flexible working made in 2018 and 2020, referred to in the Written Reasons. These allegations about the past do not, however, help the claimant's position in relation to the more recent events giving rise to her resignation and claims.
3. The claimant relies on the fact that the respondent was allowed to submit a late Response to her claim, but in that case the respondent had been unaware of the existence of the claim. In any case, the rules governing that application are different from the statutory rules which apply to the question whether the Tribunal has jurisdiction to hear the claimant's claims. The legal considerations were taken into account as set out in some detail in the Written Reasons dated 17 November 2022, and nothing in the claimant's application has any impact on the conclusions reached.

4. Extensions of time may be granted where there are good reasons for the delay, though they are an exception to the general rule requiring claims to be submitted in time. In this case, the reasons for the delay were not sufficient to warrant an extension of time, nor did they outweigh the balance of prejudice to the respondent if the claims were allowed to proceed.

SE Langridge

Employment Judge Langridge

Date 26 January 2023