



# EMPLOYMENT TRIBUNALS

**Claimant:** A. Akinola

**Respondent:** MacFarlane Group Limited

## JUDGMENT

The claimant's application dated **29 June 2023** for reconsideration of the judgment sent to the parties on **15 June 2023** is refused.

## REASONS

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

(a) the "new" material now relied upon by the claimant was available at the date of the reconsideration hearing but was not submitted by the claimant to the respondent or the Tribunal at the relevant time;

(b) there is no explanation as to why the material was not submitted by the claimant prior to the reconsideration application;

(c) in any event the material does not change the fact that the Tribunal heard evidence at the preliminary hearing from the claimant and there remains an evidential gap; the claimant did not establish that he was unable by reason of health to submit his claim to the Tribunal within the primary limitation period so that it would be just and equitable to extend time. This "new material" does not change this position.

Employment Judge **Wedderspoon**  
**18 July 2023**