



EMPLOYMENT TRIBUNALS

Claimant: Ms I Alem
Respondent: British Airways plc

JUDGMENT

The claimant's application dated 1 June 2023 for reconsideration of the judgment sent to the parties on 19 May 2023 is refused.

REASONS

The claimant raised various reasons for seeking reconsideration in her application. I address them each in turn:

1. The claimant says that I did not deal with her application to strike out the respondent's response to the claim. I explained to the claimant at the beginning of the hearing that I would initially deal with the issue of whether the Tribunal had jurisdiction to deal with her claim. If I found that the Tribunal did have jurisdiction, I would then go on to consider her strike out application. In the event, I found that the Tribunal did not have jurisdiction to deal with her claim, and therefore did not proceed to deal with her application to strike out the response, as that application was, at that point, redundant.
2. The claimant says that she filled in the claim form as best should could. I have dealt with the contents of the claim form in my reasons, and spent time during the hearing to ensure I understood the claimant's claim, before reaching my decision.
3. The claimant says that she is now not content that I dealt with the final hearing, given that I had explained that I had previously worked with the Respondent's solicitor, and the Respondent on one particular case. At the hearing, I gave the claimant a full explanation of her options, and offered her time to consider how she wanted to proceed, as set out in my written reasons. She chose not to ask me to recuse myself. The claimant in her reconsideration application states that she had until 17 May 2023 to sign an agreement to get some compensation from her employer, and this influenced her decision to proceed with me hearing the case, as she did not wish the hearing to be postponed. She did not make these representations to me at the hearing.

4. The claimant says that the Employment Judge who dealt with the preliminary hearing should have told her at that stage that she could not pursue this claim in the Employment Tribunal. She is therefore seeking, in this point, to challenge a decision made at that preliminary hearing: this particular point is therefore not relevant to a reconsideration of my judgment.

In light of the above, there is no reasonable prospect of the original decision being varied or revoked. Therefore the application for reconsideration is rejected.

Employment Judge **Shastri-Hurst**

Date 28 June 2023

JUDGMENT SENT TO THE PARTIES ON

25 July 2023

GDJ
FOR THE TRIBUNAL OFFICE