



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr E Kamphues

**Respondent:** Venator Materials UK Ltd

## JUDGMENT

The claimant's application dated 9<sup>th</sup> October 2023 for reconsideration of the judgment sent to the parties on 15<sup>th</sup> September 2023 is refused.

## REASONS

There is no reasonable prospect of the original decision being varied or revoked, because.;

1. To a great extent the claimant relies upon the factual error in relation to an email of 25<sup>th</sup> July 2023. Evidence has been provided that this email was delivered into the Tribunal inbox at 23:56. This is outside the office hours of the Tribunal service. It cannot be addressed by a Judge until at least the following day. The second issue raised is that the claimant was not given sufficient time to comply with the original order.
2. In any event the case, which was presented on 11<sup>th</sup> February 2023 has not progressed indeed the claimant has not attended at any of the hearings set down by the Tribunal to try and establish the issues in the case. In addition, despite the order of EJ Arullendran on 3<sup>rd</sup> May to provide further information the claimant has failed to do so.
3. The claimant sought an adjournment of three months of the hearing of 5<sup>th</sup> September 2023 which was specifically set down to consider the issue of strike out. That was refused. He failed to attend, again. Shortly before the hearing correspondence was again received by the Tribunal, two emails one at 13:45 and one at 13:56 from the claimant's representative seeking an adjournment of the hearing.

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4. I have been provided with a copy of the notification of appeal by the claimant, which shows his address as Sutton in Surrey. The application to adjourn the September hearing was partly based on difficulties returning to the UK hence the three months requested. However, the claimant now appears to be based back in the UK at his address in Sutton Surrey.
5. I note that although the claimant seeks reconsideration of the strike out, he has not a) provided a full explanation as to why he has not replied to the request for further information or b) supplied that information. The claimant has now had since 16<sup>th</sup> May 2023, on his own account to supply the further information.
6. There is no reasonable prospect of the original decision being varied.

Employment Judge AE Pitt  
Date 1<sup>st</sup> November 2023

11.6C Judgment – Reconsideration refused – claimant - rule 72