



EMPLOYMENT TRIBUNALS

Claimant: Mr Besmir Pepkolaj

Respondent: Barrett Steel Limited

JUDGMENT

The claimant's application dated 22 August 2023 for reconsideration of the judgment sent to the parties on 8 August 2023 is refused because there is no reasonable prospect of the original decision being varied or revoked.

REASONS

1. The application makes a number of points about the merits of the claim but the only issue which the tribunal had to decide at the hearing was whether or not the claim form was submitted in time. The new evidence does not assist on that issue.
2. There was no need for the respondent's witnesses to give evidence on the time limit issue and so the claimant's doubts about the identity of one of those attending the hearing on behalf of the respondent cannot affect the decision made.
3. The claimant and his partner gave their evidence, and his partner made submissions on his behalf. Only when submissions had concluded did the judge adjourn to consider the decision. If there were additional points which the claimant wished to make as submissions, they could have been included in the application for reconsideration, but no points relevant to the time limit issue have been set out. In the circumstances, there was no unfairness in the conduct of the proceedings.
4. Accordingly, there is no reasonable prospect of the original decision being varied or revoked.

Employment Judge Fowell

Date 29 August 2023

