



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms A Kuzniar

**Respondent:** Roxdent Ltd

## Judgment

1. The Claimant's application dated 8 April 2024 for reconsideration of the Tribunal's ruling on part of her amendment applications at a Case Management hearing on 27 February 2024, and in respect of which written reasons were requested by the claimant and provided in an updated case management order dated 19 March 2024, and sent to the parties on 26 March 2024, (the Amendment Ruling) is refused.

## Reasons

2. I have considered the application by the Claimant dated 8 April 2024 for a reconsideration of the Amendment Ruling.
3. I have considered the Reconsideration Application in accordance with the provisions set out in Rule 70 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 (the Rules) which provides that reconsideration is only appropriate where it is necessary in the interests of justice and under Rule 72 there is a reasonable prospect of the original decision being varied or revoked.
4. Reconsiderations are limited exceptions to the general rule that employment Tribunal decisions should not be reopened and relitigated. It is not a method by which a disappointed party to proceedings can get a second bite of the cherry.
5. Reconsideration is not intended to provide parties with the opportunity of a rehearing at which the same evidence can be rehearsed with different emphasis, or further evidence adduced, which was available before.
6. A Tribunal dealing with the question of reconsideration must seek to give effect to the overriding objective to deal with cases 'fairly and justly' in accordance with Rule 2.

7. In considering the application regard needs to be given to not only the interests of the party seeking the reconsideration, but also to the interests of other parties to the litigation and to the public interest requirement that there should, so far as possible, be finality of litigation.
8. I do not consider that the various matters referred to in the Reconsideration Application would, in accordance with the interests of justice, make it appropriate for there to be a detailed reconsideration of the Amendment Ruling.
9. I have reached this decision for the following reasons:
10. I consider that it would be inconsistent with the overriding objective, and excessively prejudicial to the Respondent, to revisit a ruling which was given after hearing oral arguments from both parties and with relatively detailed reasons being given at paragraphs 16 to 33 of the case management order to include a written reasons dated 19 March 2024.
11. The relevant matters referred to by the claimant in her reconsideration application were taken into account in my determination of the amendment applications.
12. In the circumstances I consider there is no reasonable prospect of the Amendment Ruling being varied or revoked and it is therefore unnecessary to seek the Respondent's response to the Reconsideration Application and nor is it necessary to seek the parties' views on whether it can be determined without a hearing.

---

**Employment Judge Nicolle**

**16 April 2024**

Sent to the parties on:

25 April 2024

.....

For the Tribunal:

.....