



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr B Costa

**Respondent:** Signorellis Deli Ltd

## JUDGMENT

The claimant's application dated **24 February 2025** for reconsideration of the judgment sent to the parties on **21 February 2025** is refused.

## REASONS

1. There is no reasonable prospect of the original decision being varied or revoked. The Tribunal wrote to the Claimant on 2 September 2024 and noted that whereas he complained that he had a right to a redundancy payment, under section 155 of the Employment Rights Act 1996 employees do not have a right to a redundancy payment unless they were employed for two years or more except in certain specific circumstances which did not seem to apply in the Claimant's case.
2. It appeared from the Claimant's ET1 claim form that he was employed for less than two years, and he was notified that the Tribunal could not consider his complaint that he was entitled to a redundancy payment.
3. The Claimant was notified that an Employment Judge was considering striking out that complaint and he was advised that if he considered that he did have a right to a redundancy payment he must write to the Tribunal by 16 September 2024 explaining why. The Claimant did not do so and his claim for a redundancy payment was therefore struck out on 31 January 2025.
4. The Claimant's application refers to him having provided additional information to the Tribunal on 14 January 2025, however that related to his other complaints which were not affected by the strike out of the complaint for a redundancy payment.
5. There is no reasonable prospect of the strike out being varied or revoked as regards the redundancy payment complaint as the Claimant had less than two years' service with the Respondent. The application is therefore refused.

Date: 28 March 2025

Approved by

Employment Judge **Graham**

JUDGMENT SENT TO THE PARTIES ON

23 April 2025

FOR THE TRIBUNAL OFFICE