



# EMPLOYMENT TRIBUNALS

**Claimant:** Z. Sunsoay

**Respondent:** Payoneer UK Limited

**Heard at:** Birmingham

**On:** 11 August 2025

**Before:** Employment Judge Wedderspoon

## JUDGEMENT ON RECONSIDERATION

1. The application for reconsideration is refused.

## REASONS

### Reconsideration of Judgments

1. The Tribunal may either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgement where it is necessary in the interests of justice to do so pursuant to Rule 68 (1) of the Employment Tribunal Procedure Rules of 2024 ("the Rules").
2. Pursuant to Rule 68 (2) of the Rules a judgement under reconsideration may be confirmed varied or revoked.
3. Pursuant to Rule 68 (3) of the Rules, if the judgement under reconsideration is revoked the Tribunal may take the decision again. In doing so the Tribunal is not required to come to the same conclusion.
4. The procedure for an application for reconsideration is set out at Rule 70 of the Rules and it must be made in writing setting out why a reconsideration is necessary and must be sent to the Tribunal within 14 days of the later of (a) the date on which the written record of the judgement sought to be reconsidered was sent to the parties, or (b) the date that the written reasons were sent, if these were sent separately.
5. The tribunal must consider any application made under rule 69 and if the tribunal considers that there is no reasonable prospect of the judgement being varied or revoked (including unless there are special reasons where substantially the

same application has already been made and refused) the application must be refused, and the tribunal must inform the parties of the refusal.

The claimant's application

6. The claimant's application for reconsideration is dated 7 August 2025 (and received on 8 August 2025) and runs to 6 pages with a 12 attachments (including two cases). He seeks to reconsider the Judgment dated 21 July 2025 (promulgated on 25 July 2025) which dismissed his claim for unfair dismissal as being out of time but permitted him to proceed with his discrimination claim on a just and equitable basis extension. The application has been brought in time.

Determination

7. The claimant has sought to introduce "new evidence" including information from ACAS dated 3 October 2023 which the claimant had in his possession prior to the hearing on 25 July 2025; a transcript of a conversation with the ACAS officer post the hearing on 25 July 2025 which says very little in respect of the extension of time application; an ACAS timeline document which was available prior to the hearing on 25 July 2025; an AI extract used at the hearing as to the first early conciliation certificate being the one that impacts the time limit for bringing a claim "usually"; an "organic search" about ACAS early conciliation twice which was available to the claimant prior to 25 July 2025 hearing; the EAT **Abel v Reynolds** decision; ACAS EC process document available to the claimant prior to the hearing on 25 July 2025; google search no AI overview tool also available to the claimant prior to the hearing on 25 July 2025 and the **Ladd v Marshall** case.
8. The Tribunal is satisfied there was no procedural error in this case. The claimant raised no objections to the inclusion by the respondent of a document disclosed two days prior to the hearing about information available online. The claimant, following an adjournment in the morning for the Tribunal to read the documents, retracted his earlier agreement to deal with the strike out application on merits stating he was unprepared. The Tribunal acceded to the claimant's retraction and focused at the hearing on the time points. The claimant did not object to the respondent's document or ask for any further documentation to be considered. Skeleton arguments were provided by both parties prior to the hearing.
9. The Tribunal is satisfied that the law in this case was applied correctly. The Tribunal took judicial notice of the fact that there is a significant amount of material online to assist litigants in person to bring complaints to the Tribunal. The Tribunal determined in this case that the ignorance suggested by the claimant about the implications of a second EC certificate was unreasonable for the reasons set out in the Judgment.
10. The claimant is simply seeking to reargue his case with material which was available to him at the date of the hearing (but not produced by him) which is not new.
11. There is no reasonable prospect of the judgment being varied or revoked. Accordingly, the application for reconsideration is refused and stands dismissed.

**Case Number: 1300554/2024**

Employment Judge Wedderspoon  
Date: 11 August 2025