EMPLOYMENT TRIBUNALS

Claimant: **Bosko Pejic**

Respondents: **(1) Storm Global Ltd**
(2) Ryanair DAC

RECONSIDERATION JUDGMENT

1. This is a Reconsideration Judgment following the Reconsideration request sent by the Claimant to the Tribunal on 21 May 2025 and sent to the Judge by the Tribunal on 10 June 2025.

2. Under Rule 68 the Tribunal may reconsider any Judgment where it is in the interests of justice to do so and a Judgment under Reconsideration may be confirmed, varied or revoked.

3. Under Rule 70 if the Tribunal considers there is no reasonable prospect of the Judgment being varied or revoked the application for Reconsideration must be refused. This reflects the public interests in the finality of litigation.

4. The Judgment I gave and approved on 29 April 2025 was a lengthy one. The request for Reconsideration is also lengthy.

5. The Claimant's application for Reconsideration was made within the required time limit. The Claimant's application for Reconsideration is set out in ten separate headings which I deal with in turn.

Fundamental Errors in Jurisdictional Analysis

6. The Claimant contends I ignored his connections with the UK. That is not correct. I set out in paragraph 21 of my Judgment that he had the right to live and work in the UK. I considered where the Respondents were registered and how their operations worked. I acknowledged that the Claimant would operate in or out of UK airports at paragraph 44 and did not ignore evidence in this regard.

Tribunal's Failure to Allow Claim Amendment

7. The hearing I dealt with, and the Judgment I gave, was not concerned with any amendment application. The matters I was asked to decide were set out by

Employment Judge Cuthbert at a Case Management Preliminary Hearing on 5 August 20024 and were set out at the start of my Judgment at paragraph 3. I noted at paragraph 5 that the Claimant agreed that I did not need to deal with any amendment application.

Respondent's Legal Gamesmanship and Tribunal's Failure to Intervene

8. The Claimant appears to suggest I permitted the Respondents to "manipulate pleadings". I do not understand what is being argued here. I listened carefully to all arguments and do not recall any manipulation of pleadings.

"Home Base" Misapplication

9. I set out my conclusions on the Claimant's home base in my Judgment. The Claimant's Reconsideration request is an attempt to re-litigate his arguments on this matter.

Material Errors in Rejecting the Claimant Flawed "Reasonably Practicable" Assessment and Procedural Unfairness and ACAS Certificate and Respondent Identity

10. I set out in my Judgment at paragraphs 107 to 121 the relevant law and my findings on this issue.

Service Issues and Procedural Bias

11. The service issue appears to overlap with the two heads of argument above. The uneven enforcement of deadlines appears to be an argument about the Case Management Preliminary Hearing on 5 August 2024 and the Tribunal not sanctioning the Respondents for failing to meet deadlines in June 2024. These were not matters that I had to determine.

Respondents' Dishonesty and Contractual Breaches

12. The matters as to the insurance held by the Respondents and the alleged "email mis-management" were not relevant to the matters I had to decide.

"Associated Employers" Relationship Ignored

13. The Claimant alleges I failed to consider the close relationship between the Respondents. I disagree with this and believe my Judgment set out that relationship.

Material Errors

14. The Claimant disagrees with my assessment of the nature of his relationship with the Respondents, siting it as an of "dual employment". This was not the case he had advanced at the Case Management Preliminary Hearing before Employment Judge Cuthbert and as noted at paragraph 6 of my Judgment. His case was that

the Second Respondent was his employer and that was noted by Employment Judge Cuthbert.

Summary

15. I need to decide whether there is any reasonable prospect of a conclusion that variation or revocation of the original decision is necessary in the interests of justice. I have carefully considered the Claimant application for Reconsideration and the grounds he relies on. I have concluded there is no reasonable prospect of variation or revocation of my Judgment.

16. The Claimant's application for Reconsideration is therefore refused under Rule 70 (2).

Approved by:
Employment Judge Hindmarch
Dated: 8 September 2025