



EMPLOYMENT TRIBUNALS

Claimant: Mr R Kolcz

Respondent: Dropp Logistics

JUDGMENT ON APPLICATION FOR RECONSIDERATION

The judgment of the tribunal is that the Claimant’s application for reconsideration is refused because there is no reasonable prospect of the decision being varied or revoked.

REASONS

1. The claimant has applied for a reconsideration of the judgment dated 13 February 2026 which was sent to the parties on 7 March 2026 (“the Judgment”). The grounds are set out in his email dated 18 March 2026.
2. The Employment Tribunal Procedure Rules 2024 (“the Rules”) provide at Rule 69 that an application for reconsideration under Rule 70 must be made within 14 days of the date on which the decision (or, if later, the written reasons) were sent to the parties. The application was therefore received within the relevant time limit.
3. The grounds for reconsideration are only those set out in Rule 68, namely that it is necessary in the interests of justice to do so.
4. The grounds relied upon by the claimant are these:
5. His non-compliance with the Tribunal’s orders was not deliberate. The Tribunal’s emails were diverted by his computer to his spam folder. As such he did not see the Tribunal’s communications at the time they were sent and only became aware of deadlines after they had passed. He was not aware of the hearing or that his claim was at risk of being struck out. He says he acted promptly once he became aware of the situation.

6. The matters raised by the claimant were considered in the light of his conduct as set out in the strike out judgment. It is notable that the Claimant, notwithstanding the issue he refers to with emails being diverted, was able to request reconsideration within the required 14 day period. He was aware, and had been since at least 1 December 2025, that emails were being sent to his spam inbox. He could have either taken steps to prevent this (for example, by adding the address to trusted senders or similar) or ensure that he regularly checked his spam inbox. It was his responsibility to deal with the issue once he became aware of it.
7. It is apparent from the Claimant's email of 1 December 2025 that he had seen his claim was at risk of being struck out as he requested that this step was not taken. Beyond that, he failed to deal with outstanding matters. The fact he again contacted the Tribunal on 30 January 2026 indicates that he was aware of the further strike out warning sent on 29 January 2026 and what he had to do to avoid strike out. He nevertheless again failed to comply with the Tribunal's order.
8. It follows that, contrary to the Claimant's assertion in his application for reconsideration, his non-compliance was indeed deliberate. Despite seeing, on occasion belatedly, the Tribunal's correspondence, he repeatedly failed to comply with the Tribunal's orders. He was aware his claim was at risk of being struck out.
9. It is in the public interest that there should be finality in litigation, and the interests of justice apply to both sides.
10. Accordingly I refuse the application for reconsideration pursuant to Rule 70(2) because there is no reasonable prospect of the Judgment being varied or revoked.

Employment Judge Bradford
Date: 28 April 2026

JUDGMENT SENT TO THE PARTIES ON
30 April 2026