



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms Jane Tatham

v

Virgin Holidays Limited

Reasons - Request for reconsideration

1. In a letter dated 11 November 2019 (the “November 2019 letter”) the claimant makes a request for a reconsideration of the written judgement dated 31 October 2019 (the “Judgement”) in which her claims for unfair dismissal were dismissed. Unfortunately I only received this letter on 4 March 2020 and that is why this decision is dated 9 March 2020. It is most regrettable that the claimant’s letter did not reach me and until many months after it was sent.
2. Rule 72 of Schedule 1 of The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 sets out the procedure when deciding an application under rule 71. It sets out the following:

“If the Judge considers that there is no reasonable prospect of the original decision being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application shall be refused and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response to the application by the other parties and seeking the views of the parties on whether the application can be determined without a hearing. The notice may set out the Judge’s provisional views on the application...”

3. Rule 70 of Schedule 1 of The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 sets out the following:

“A 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 judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision (“the original decision”) may be confirmed, varied or revoked. If it is revoked it may be taken again.”

4. The claimant sets out clear and concise statements as to why she considers that her dismissal was unfair. I have read and considered these carefully.

However I find that they are a disagreement with my assessment of the facts. I understand the claimant's views however I conclude that there are no reasonable prospects of the original decision being varied or revoked.

Judgement

5. The claimant's application for reconsideration dated 11 November 2019 is refused.

Employment Judge Bartlett

Date: 9 March 2020

Sent to the parties on: 21 April 2020

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For the Tribunal Office