

## SCHEDULE 1

### THE INDUSTRIAL TRIBUNALS AND FAIR EMPLOYMENT TRIBUNAL RULES OF PROCEDURE 2020

## PART 2

### STARTING A CLAIM

#### **Reconsideration of rejection**

12.—(1) A claimant whose claim has been rejected (in whole or in part) under rule 11 may apply for a reconsideration on the basis that either the decision to reject was wrong or the notified defect can be rectified.

(2) The application shall—

- (a) be in writing;
- (b) be presented within 14 days of the date that the notice of rejection was sent;
- (c) explain why the decision is said to have been wrong or rectify the defect; and
- (d) state whether the claimant requests a hearing.

(3) If the claimant does not request a hearing, or an employment judge decides, on considering the application, that the claim shall be accepted in full, the employment judge shall determine the application without a hearing; otherwise the application shall be considered at a hearing attended only by the claimant.

(4) If the employment judge decides that the original rejection was correct but that the defect has been rectified, the claim shall be treated as presented on the date that the defect was rectified.

(5) If the employment judge decides that the original rejection was wrong, the claim (or part) shall be accepted from the date on which it was presented.