



EMPLOYMENT TRIBUNALS

Claimant: Mr K Islam

Respondent: Nestle UK Limited

JUDGMENT

The claimant's application dated **16 December 2022** for reconsideration of the judgment sent to the parties on **2 December 2022** is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because the claimant raises no arguable reasons for doing so.

1. The claimant raises 3 arguments:

That reasonable adjustments were not made by the employer

2. The purpose of the Preliminary Hearing was not to determine whether adjustments were made, or not, it was to determine whether the claimant had impairments which had a substantial effect on his ability to undertake day to day activities during the period in question.
3. For the reasons set out on the Preliminary Hearing Judgment, the claimant could not demonstrate the conditions had that substantial effect.

The failure to provide adjustments meant there was a substantial effect on his day-to-day life

4. Again, for the reasons set out in the preliminary Hearing Judgment, the claimant was unable to show that there was a substantial effect

on his day-to-day activities whilst at work, without the adjustments in place.

Medical evidence that I provided was not read

5. One of the disputes at the Preliminary Hearing was the lack of medical evidence from the claimant within the Bundle. The Tribunal considered the medical evidence and OH reports provided, and the assessment of this evidence can be found within the Judgment. The claimant has pointed to no evidence which he contends should have been considered but was not.
6. For these reasons, the claimant's application for reconsideration fails.

Employment Judge Emery

17 January 2023