



EMPLOYMENT TRIBUNALS

Claimant: David Kokou Agbotey

Respondent: Maier UK Limited

Heard at: On the papers

On: 5 March 2026

Before: Employment Judge Wedderspoon

JUDGEMENT ON RECONSIDERATION

1. The application for reconsideration is refused.

REASONS

Reconsideration of Judgments

1. The 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 judgement where it is necessary in the interests of justice to do so pursuant to Rule 68 (1) of the Employment Tribunal Procedure Rules of 2024 ("the Rules").
2. Pursuant to Rule 68 (2) of the Rules a judgement under reconsideration may be confirmed varied or revoked.
3. Pursuant to Rule 68 (3) of the Rules, if the judgement under reconsideration is revoked the Tribunal may take the decision again. In doing so the Tribunal is not required to come to the same conclusion.
4. The procedure for an application for reconsideration is set out at Rule 70 of the Rules and it must be made in writing setting out why a reconsideration is necessary and must be sent to the Tribunal within 14 days of the later of (a) the date on which the written record of the judgement sought to be reconsidered was sent to the parties, or (b) the date that the written reasons were sent, if these were sent separately.
5. The tribunal must consider any application made under rule 69 and if the tribunal considers that there is no reasonable prospect of the judgement being varied or revoked (including unless there are special reasons where substantially the

same application has already been made and refused) the application must be refused, and the tribunal must inform the parties of the refusal.

The claimant's application

6. The Tribunal gave an oral judgment on 5 December 2025. The Judgment was sent to the parties by the Tribunal on 18 December 2025. The claimant's application for reconsideration is dated 31 December 2025 and is made within time. The claimant asserts in general terms that there was a lack of understanding of key aspects of his case, certain material facts and evidence/points were not appreciated or were interpreted in a way that does not reflect the evidence he provided. The claimant also asserted that the conclusions reached did not align with the factual position he presented and that important evidence and arguments were not properly or were overlooked.
7. In an email dated 5 January 2026 the respondent states that the reconsideration should be rejected.

Determination

8. The Tribunal apologies to the parties for the delay in considering this application. However due to a period of absence this application has been brought to my attention today.
9. The Tribunal notes that the claimant's reconsideration application makes very general and non-specific criticisms of the judgment. The Tribunal is satisfied there was no procedural errors in this case and the Tribunal heard and took into account all of the available written and oral evidence and watched a video of the relevant incident which presented the claimant conducting an unsafe practice in the workplace. Regrettably the claimant lacked insight into the risk of what he had done at the material time; a position the claimant maintained at trial.
10. The Tribunal is satisfied that all of the evidence was weighed fairly and applied correctly.
11. There is no reasonable prospect of the judgment being varied or revoked. Accordingly, the application for reconsideration is refused and stands dismissed.

Employment Judge Wedderspoon
Date: 5 March 2026