

THE INDUSTRIAL TRIBUNALS

CASE REF: 17538/19

CLAIMANT: Ade-Tunji Ekeolu

RESPONDENT: Gerard Murphy t/a Vaders Cleaning Solutions

DECISION ON A PRE-HEARING REVIEW

The decision of the tribunal is that the respondent had lodged a response in the appropriate form and at the appropriate time in the tribunal but that that response had been mislaid. The tribunal has, in the absence of that original response, accepted the email dated 17 December 2019 as the response and time is extended as required in that regard.

CONSTITUTION OF TRIBUNAL

Vice President (sitting alone): Mr N Kelly

APPEARANCES:

The claimant was appeared in person and was unrepresented.

The respondent appeared in person and was unrepresented.

1. This is a claim which had been explained by the claimant at an earlier Case Management Discussion as a claim in respect of allegedly unpaid wages in the final week of employment and a claim of alleged race discrimination.
2. In the course of the present hearing, the claimant stated that his claim was solely in relation to allegedly unpaid wages in the last week of employment and he stated specifically that he was not pursuing a claim of alleged race discrimination. That claim of alleged race discrimination is therefore treated as withdrawn in open tribunal and dismissed.
3. It would appear that the respondent disputes that the claimant was working during the days and hours that he alleges he was working in the final week of his employment.
4. I directed that the claimant should set out in writing a detailed list of the days and hours on which he alleges he was working on behalf of the respondent in the final week of his employment and in respect of which he alleges that he was not paid.

5. The claimant shall provide that written record *by first class post or by email* to the Secretary to the Tribunal and to the respondent ***no later than 5.00 pm on 31 January 2020.***
6. The respondent shall set out in writing his detailed response to the claim of allegedly unpaid wages in the final week of employment and shall send same *by first class post or by email* to the Secretary to the Tribunal and to the respondent ***no later than 5.00 pm on 14 February 2020.***
7. The hearing of this matter is listed ***for 4 March 2020 at 10.00 am.***
8. Both parties will give evidence and make call additional witnesses on their behalf to put forward their version of events.

Vice President:

Date and place of hearing: 15 January 2020, Belfast.

Date decision recorded in register and issued to parties: